
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 5

MEMBERS' VOLUNTARY WINDING UP

CHAPTER 2

The liquidator

Application by former liquidator to the Secretary of State for release (section 173(2)(b)) (1)

- 5.14.**—(1) This rule applies to a liquidator who—
- (a) is removed by the court;
 - (b) vacates office on ceasing to be qualified to act as an insolvency practitioner in relation to the company; or
 - (c) vacates office in consequence of the court making a winding-up order against the company.
- (2) Where the former liquidator applies to the Secretary of State for release the application must contain—
- (a) identification details for the former liquidator;
 - (b) identification details for the company;
 - (c) the circumstances under which the former liquidator ceased to act as liquidator; and
 - (d) a statement that the former liquidator is applying to the Secretary of State for release.
- (3) The application must be authenticated and dated by the former liquidator.
- (4) When the Secretary of State gives a release, the Secretary of State must deliver—
- (a) a certificate of the release to the former liquidator; and
 - (b) a notice of the release to the registrar of companies.
- (5) Release is effective from the date of the certificate or such other date as the certificate specifies.

(1) A new section 173(2)(b) is inserted by paragraph 44(2) of Schedule 9 to the Small Business, Enterprise and Employment Act 2015 (c.26).