
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 5

MEMBERS' VOLUNTARY WINDING UP

CHAPTER 3

Special manager

Application for and appointment of special manager (section 177)

5.17.—(1) An application by the liquidator under section 177 for the appointment of a special manager must be supported by a report setting out the reasons for the application.

(2) The report must include the applicant's estimate of the value of the business or property in relation to which the special manager is to be appointed.

(3) The court's order appointing a special manager must have the title "Order of Appointment of Special Manager" and must contain—

- (a) the name of the court (and hearing centre if applicable) in which the order is made;
- (b) the name and title of the judge making the order;
- (c) identification details for the proceedings;
- (d) the name and address of the applicant;
- (e) the name and address of the proposed special manager;
- (f) an order that the proposed special manager is appointed as special manager of the company;
- (g) details of the special manager's responsibility over the company's business or property;
- (h) the powers to be entrusted to the special manager under section 177(4);
- (i) the time allowed for the special manager to give the required security for the appointment;
- (j) the duration of the special manager's appointment, being one of the following—
 - (i) for a fixed period stated in the order;
 - (ii) until the occurrence of a specified event; or
 - (iii) until the court makes a further order;
- (k) the order that the special manager's remuneration will be fixed from time to time by the court; and
- (l) the date of the order and the date on which it takes effect if different.

(4) The appointment of the special manager may be renewed by order of the court.

(5) The acts of the special manager are valid notwithstanding any defect in the special manager's appointment or qualifications.