

---

STATUTORY INSTRUMENTS

---

**2016 No. 1024**

**The Insolvency (England and Wales) Rules 2016**

**PART 5**

**MEMBERS' VOLUNTARY WINDING UP**

**CHAPTER 2**

**The liquidator**

**Appointment by the court (section 108)**

**5.4.**—(1) This rule applies where the liquidator is appointed by the court under section 108.

(2) The order of the court 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 company;
- (d) the name and address of the applicant;
- (e) the capacity in which the applicant made the application;
- (f) identification details for the proposed liquidator;
- (g) a statement that the appointee has filed with the court a statement to the effect that the appointee is an insolvency practitioner qualified to act as the liquidator and consents to act;
- (h) an order that the proposed liquidator, having filed a statement of being qualified to act as an insolvency practitioner in relation to the company and having consented to act, is appointed liquidator of the company from the date of the order, or such other date as the court orders; and
- (i) the date of the order.

(3) Where two or more liquidators are appointed the order must also specify (as required by section 231) whether any act required or authorised under any enactment to be done by the liquidator is to be done by all or any one or more of them.

(4) The court must deliver a sealed copy of the order to the liquidator, whose appointment takes effect from the date of the order or from such other date as the court orders.

(5) Not later than 28 days from the liquidator's appointment, the liquidator must deliver notice of the appointment to the creditors of the company.