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STATUTORY INSTRUMENTS

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**2016 No. 1024**

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

**PART 6**

**CREDITORS' VOLUNTARY WINDING UP**

**CHAPTER 4**

**The liquidator**

**Appointment by creditors or by the company**

- 6.20.**—(1) This rule applies where a person is appointed as liquidator by creditors or the company.
- (2) The liquidator's appointment takes effect from the date of the passing of the resolution for the appointment.
- (3) Their appointment must be certified by—
- (a) the convener or chair of the decision procedure or deemed consent procedure; or
  - (b) in respect of an appointment by the company the chair of the company meeting or a director or the secretary of the company (in the case of a written resolution).
- (4) The person who certifies the appointment must not do so unless and until the proposed liquidator ("the appointee") has provided that person with a statement of being an insolvency practitioner qualified under the Act to be the liquidator and of consenting to act.
- (5) The certificate must be authenticated and dated by the person who certifies the appointment and must contain—
- (a) identification details for the company;
  - (b) identification and contact details for the person appointed as liquidator;
  - (c) the date of the meeting of the company or conclusion of the decision procedure or deemed consent procedure when the liquidator was appointed;
  - (d) a statement that the appointee—
    - (i) has provided a statement of being qualified to act as an insolvency practitioner in relation to the company,
    - (ii) has consented to act, and
    - (iii) was appointed liquidator of the company.
- (6) Where two or more liquidators are appointed the certificate 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.
- (7) The person who certifies the appointment must deliver the certificate as soon as reasonably practicable to the liquidator, who must keep it as part of the records of the winding up.