
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 8

INDIVIDUAL VOLUNTARY ARRANGEMENTS (IVA)

CHAPTER 7

Applications to annul bankruptcy orders under sections 261(2)(a) and (b)

Application by the bankrupt to annul the bankruptcy order (section 261(2)(a))

8.32.—(1) An application by bankrupt to the court under section 261(2)(a) must be supported by a witness statement stating—

- (a) that the IVA has been approved by the creditors;
- (b) the date of the approval; and
- (c) that the 28 day period in section 262(3)(a) for applications to be made under section 262(1) has expired and no applications or appeals remain to be disposed of.

(2) The application and witness statement must be filed with the court and the court must deliver a notice of the venue for the hearing to the bankrupt.

(3) Not less than five business days before the date of the hearing, the bankrupt must deliver a notice of the venue, with a copy of the application and witness statement, to—

- (a) the official receiver;
- (b) any trustee (if different to the official receiver); and
- (c) the supervisor.

(4) The official receiver, any such trustee and the supervisor may attend the hearing or be represented and bring to the court's attention any matters which seem to them to be relevant.