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STATUTORY INSTRUMENTS

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**2016 No. 1024**

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

**PART 9**

**DEBT RELIEF ORDERS**

**CHAPTER 6**

Applications to the court

**Court in which applications under sections 251M or 251N are to be made**

- 9.22.**—(1) An application to the court under section 251M or 251N must be made to—
- (a) the County Court at Central London, where the proceedings are allocated to the London Insolvency District under rule 12.5(a)(i) to (iv);
  - (b) the High Court, where the proceedings are allocated to the London Insolvency District under rule 12.5(a)(v);
  - (c) the debtor’s own hearing centre as determined under paragraph (3) (subject to paragraph (4)), in any other case where the debtor is resident in England and Wales.
- (2) The application may be filed either with the debtor’s own hearing centre or with the High Court if—
- (a) the debtor is not resident in England and Wales but was resident or carried on business in England and Wales within the six months immediately before the application is filed with the court; and
  - (b) the proceedings are not allocated to the London Insolvency District.
- (3) In this rule the debtor’s own hearing centre is—
- (a) where the debtor has carried on business in England and Wales within the six months immediately before the application is filed with the court, the hearing centre which serves the insolvency district where for the longest period during those six months—
    - (i) the debtor carried on business, or
    - (ii) the principal place of business was located, if business was carried on in more than one insolvency district; or
  - (b) where the debtor has not carried on business in England and Wales within the six months immediately before the application is filed with the court, the hearing centre which serves the insolvency district where the debtor resided for the longest period during those six months.
- (4) Where, for whatever reason, it is not possible for the application to be filed with the debtor’s own hearing centre, the applicant may, with a view to expediting the application, file the application—
- (a) where paragraph (3)(a) applies, with—
    - (i) the hearing centre for the insolvency district in which the debtor resides, or

- (ii) the hearing centre specified in Schedule 6 as the nearest full-time hearing centre to the hearing centre specified in paragraph (3)(a), or paragraph (i) as the case may be; or
  - (b) where paragraph (3)(b) applies, with the hearing centre specified in Schedule 6 as being the nearest full-time hearing centre to that specified in paragraph (3)(b).
- (5) The application must contain sufficient information to establish that it is brought in the appropriate court, and where the application is made to the County Court, the appropriate hearing centre.