

SCHEDULE 8

Rule 10.35

Additional information to be provided in the bankruptcy application

Disposal of assets

1. Where in the five years preceding the date on which the bankruptcy application is made the debtor has entered into a transaction at an undervalue within the meaning of section 339(1), given a preference within the meaning of section 340(2), has rights or excluded rights under section 342A(3) of the Act or placed an asset into a trust for the benefit of any person, including the surrender of life, endowment and pension policies, in respect of each asset—

- (a) description of the asset;
- (b) date the debtor gave away, transferred or sold the asset;
- (c) consideration given, if any;
- (d) name and address of the person to whom the debtor sold, transferred or gave away the asset;
- (e) relationship of that person to the debtor;
- (f) if relevant, name of the trustees and beneficiaries or class of beneficiaries;
- (g) estimated market value of the asset at the date of the bankruptcy application;
- (h) net proceeds (if any) (less any charges and legal fees).

2. Where in the five years preceding the date on which the bankruptcy application is made the debtor has disposed of or sold any property at market value or disposed of, sold at market value or realised any life, endowment and pension policies in respect of each asset—

- (a) description of the asset;
- (b) date the debtor disposed of, sold at market value or realised the asset; and
- (c) net proceeds (if any) (less any charges and legal fees).

Financial arrangements with creditors

3. Where the debtor has been made bankrupt in the two years immediately preceding the date of the bankruptcy application—

- (a) date of the bankruptcy order; and
- (b) reference allocated by the official receiver.

4. Where the debtor has entered into a debt relief order in the two years immediately preceding the date of the bankruptcy application—

- (a) date of the debt relief order; and
- (b) reference allocated by the official receiver.

5. Where the debtor has, or has had, an IVA in the two years immediately preceding the date of the bankruptcy application, the date of the arrangement.

6. Where the debtor has, or has had, an arrangement in force with creditors, other than an IVA in the two years immediately preceding the date of the bankruptcy application, the date and nature of the arrangement.

Status: This is the original version (as it was originally made).

Legal and financial advisers

7. Where a solicitor has acted for or on behalf of the debtor in the five years immediately preceding the date of the bankruptcy application, in relation to each solicitor—

- (a) name, address and reference of the solicitor; and
- (b) nature and date of the transaction or transactions on which the solicitor advised or acted.

8. Where an accountant, book keeper or other financial adviser has acted for or on behalf of the debtor in the five years immediately preceding the date of the bankruptcy application, in relation to each accountant, book keeper and financial adviser—

- (a) name, address and reference; and
- (b) dates of acting for the debtor.

Business affairs of a self-employed debtor

9. Where the debtor traded in a partnership at any time in the three years immediately preceding the date of the bankruptcy application, in respect of each partnership—

- (a) names and addresses of each of the partners;
- (b) name or names, other than the partners' names, in which the partnership carried on business; and
- (c) the nature of the partnership business.

10. Where the debtor is or has been self-employed (other than as a partner in a partnership) at any time in the three years immediately preceding the date of the bankruptcy application—

- (a) Value Added Tax number, where the business was registered for Value Added Tax;
- (b) address where the debtor's books of account and other accounting records are kept; and
- (c) where the debtor holds records on a computer, details of which records are held, what software is used (including any passwords) and where the computer is located.

11. Where the debtor is or has been self-employed (including a partner in a partnership) at any time in the three years immediately preceding the date of the bankruptcy application—

- (a) name and address of any person employed by the debtor immediately preceding the bankruptcy application; and
- (b) whether—
 - (i) the debtor owes any employee or former employee any money, and
 - (ii) any employee or former employee has or may claim that the debtor owes that person some money.

Financial affairs – assets

12. The nature and value of each asset belonging to the debtor.

13. Where any asset is owned jointly with another person—

- (a) name and address of that joint owner; and
- (b) relationship of that person to the debtor.

14. Where any asset is subject to the rights of any person (other than a joint owner), whether as a secured creditor of the debtor or otherwise, in respect of each asset—

- (a) nature of third party rights;
- (b) account number or reference of that creditor or creditors; and

(c) amount each creditor claims is owed to them.

15. Where the debtor holds or has held in the last two years any bank, building society, credit union or national savings account including any joint, business or dormant accounts, in respect of each account—

- (a) name, address and sort code of the bank or supplier;
- (b) account number; and
- (c) whether or not the debtor's regular income is paid into the account.

16. Where the debtor owns a motor vehicle or has disposed of any vehicle during the 12 months immediately preceding the date of the bankruptcy application, in respect of each motor vehicle—

- (a) make and model;
- (b) registration number;
- (c) what the motor vehicle is used for by the debtor
- (d) save where the motor vehicle has been disposed of, the location of the motor vehicle; and
- (e) where the motor vehicle has been disposed of, the date of disposal and any proceeds from that disposal.

17. Where the debtor regularly uses a motor vehicle that the debtor does not own, in respect of each motor vehicle—

- (a) make and model;
- (b) registration number;
- (c) name and address of the owner; and
- (d) debtor's relationship to the vehicle's owner.

18. Where the debtor owns any property consisting of land or buildings, in respect of each property—

- (a) type of and description of the property;
- (b) who lives at the property and their relationship to the debtor;
- (c) any income received by the debtor from the property; and
- (d) nature of the insurance policy currently in force in relation to the property and the expiry date of that insurance policy.

19. Where the debtor rents or leases a property, in respect of each property—

- (a) who lives at the property and their relationship to the debtor;
- (b) monthly rent;
- (c) name and address of the landlord and any managing agent.

20. Where the debtor has an interest in any other property, in respect of each property—

- (a) nature of the interest;
- (b) type of and description of the property;
- (c) who lives at the property and their relationship to the debtor;
- (d) name and address of the person who permits the debtor to use the property;
- (e) amount paid by the debtor to the person who permits the debtor to use the property;
- (f) any income received by the debtor from the property; and
- (g) whether or not there is a written agreement.

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21. Where the debtor resides at a property in which the debtor has no interest, the basis on which the debtor resides at that property.

22. Where the debtor has or has held within the five years immediately before the date of the bankruptcy application any occupational pension, personal pension, endowment or other life policy in relation to each policy—

- (a) type of policy;
- (b) name and address of the pension, endowment or life assurance company or broker;
- (c) policy number;
- (d) approximate date when the policy was taken out;
- (e) estimated value of policy;
- (f) amount (if any) being received now by the debtor and the frequency of those payments; and
- (g) name of the beneficiary or beneficiaries of the policy.

Financial affairs – income and expenditure

23. Debtor’s total annual income from all sources, the sources of that income and the amount from each source.

24. Total annual household income from all sources, the sources of that income and the amount from each source.

25. Current (or last) income tax reference number.

26. Monthly national insurance.

27. Mean monthly tax.

28. Where the debtor has any current attachment of earnings orders in force, in respect of each attachment of earnings order—

- (a) name of creditor;
- (b) name of the court that made the attachment of earnings order.

29. Particulars of the debtor’s mean monthly expenditure which the debtor claims is necessary to meet the monthly reasonable domestic needs of the debtor’s family, including the objective and the amount of that expenditure.

30. Particulars of the debtor’s monthly expenditure not otherwise provided under this Schedule.

Enforcement officers and enforcement agents

31. Where an enforcement officer or enforcement agent has visited the debtor in the last six months—

- (a) name of the creditor by whom the relevant debt is claimed;
- (b) date of initial visit;
- (c) description and estimated value of property seized.

Cause of insolvency

32. Why the debt was incurred.

33. Date when the debtor first experienced difficulty in paying some or all of the debtor’s debts.

34. Reasons for the debtor not having enough money to pay some or all of the debtor’s debts.

35. Where the debtor has gambled any money through betting or gambling during the last two years, how much the debtor has gambled.