

on who has acted  
e court, after [he]

is not exercisable  
not benefit from

sch 17, paras 9, 18(a),  
ration order has been  
itional Provisions and  
mes (see s 249 of the

48(3), 278(2), Sch 17,

original words "that  
vings and transitional

s of the company  
any other person,

ersons who were  
d are to be liable  
roper.

6, para 6(1).

ny it appears that  
a director of the  
on is to be liable  
oper.

any, that person  
hat the company

shall not make a  
agraph (b) above

ny person if it is  
1 relation to him  
pany's creditors  
company would

ompany ought to  
ought to take care  
diligent person

cted of a person  
relation to the

a company by a  
which have been

if it goes into  
other liabilities

Disapplication: this section is disapplied, in respect of certain specified persons while Northern Rock is wholly owned by the Treasury, by the Northern Rock plc Transfer Order 2008, SI 2008/432, art 17, Schedule, para 3(a); in respect of certain specified persons while Bradford & Bingley is wholly owned by the Treasury, by the Bradford & Bingley plc Transfer of Securities and Property etc Order 2008, SI 2008/2546, art 13(1), Sch 1, para 3(a); and in respect of certain specified persons while Deposits Management (Heritable) is wholly owned by the Treasury, by the Heritable Bank plc Transfer of Certain Rights and Liabilities Order 2008, SI 2008/2644, art 26, Sch 2, para 3(a).

### [1.218]

#### 215 Proceedings under ss 213, 214

(1) On the hearing of an application under section 213 or 214, the liquidator may himself give evidence or call witnesses.

(2) Where under either section the court makes a declaration, it may give such further directions as it thinks proper for giving effect to the declaration; and in particular, the court may—

- (a) provide for the liability of any person under the declaration to be a charge on any debt or obligation due from the company to him, or on any mortgage or charge or any interest in a mortgage or charge on assets of the company held by or vested in him, or any person on his behalf, or any person claiming as assignee from or through the person liable or any person acting on his behalf, and
- (b) from time to time make such further order as may be necessary for enforcing any charge imposed under this subsection.

(3) For the purposes of subsection (2), "assignee"—

- (a) includes a person to whom or in whose favour, by the directions of the person made liable, the debt, obligation, mortgage or charge was created, issued or transferred or the interest created, but
- (b) does not include an assignee for valuable consideration (not including consideration by way of marriage [or the formation of a civil partnership]) given in good faith and without notice of any of the matters on the ground of which the declaration is made.

(4) Where the court makes a declaration under either section in relation to a person who is a creditor of the company, it may direct that the whole or any part of any debt owed by the company to that person and any interest thereon shall rank in priority after all other debts owed by the company and after any interest on those debts.

(5) Sections 213 and 214 have effect notwithstanding that the person concerned may be criminally liable in respect of matters on the ground of which the declaration under the section is to be made.

#### NOTES

This section derived from the Companies Act 1985, s 630(3)–(6), and the Insolvency Act 1985, s 15(6), Sch 6, para 6(2), (3). Sub-s (3): words in square brackets inserted by the Civil Partnership Act 2004, s 261(1), Sch 27, para 112.

### [1.219]

#### 216 Restriction on re-use of company names

(1) This section applies to a person where a company ("the liquidating company") has gone into insolvent liquidation on or after the appointed day and he was a director or shadow director of the company at any time in the period of 12 months ending with the day before it went into liquidation.

(2) For the purposes of this section, a name is a prohibited name in relation to such a person if—

- (a) it is a name by which the liquidating company was known at any time in that period of 12 months, or
- (b) it is a name which is so similar to a name falling within paragraph (a) as to suggest an association with that company.

(3) Except with leave of the court or in such circumstances as may be prescribed, a person to whom this section applies shall not at any time in the period of 5 years beginning with the day on which the liquidating company went into liquidation—

- (a) be a director of any other company that is known by a prohibited name, or
- (b) in any way, whether directly or indirectly, be concerned or take part in the promotion, formation or management of any such company, or
- (c) in any way, whether directly or indirectly, be concerned or take part in the carrying on of a business carried on (otherwise than by a company) under a prohibited name.

(4) If a person acts in contravention of this section, he is liable to imprisonment or a fine, or both.

(5) In subsection (3) "the court" means any court having jurisdiction to wind up companies; and on an application for leave under that subsection, the Secretary of State or the official receiver may appear and call the attention of the court to any matters which seem to him to be relevant.

(6) References in this section, in relation to any time, to a name by which a company is known are to the name of the company at that time or to any name under which the company carries on business at that time.

(7) For the purposes of this section a company goes into insolvent liquidation if it goes into liquidation at a time when its assets are insufficient for the payment of its debts and other liabilities and the expenses of the winding up.

(8) In this section "company" includes a company which may be wound up under Part V of this Act.

## NOTES

This section derived from the Insolvency Act 1985, s 17, Sch 9, para 5.

## [1.220]

**217 Personal liability for debts, following contravention of s 216**

- (1) A person is personally responsible for all the relevant debts of a company if at any time—
  - (a) in contravention of section 216, he is involved in the management of the company, or
  - (b) as a person who is involved in the management of the company, he acts or is willing to act on instructions given (without the leave of the court) by a person whom he knows at that time to be in contravention in relation to the company of section 216.
- (2) Where a person is personally responsible under this section for the relevant debts of a company, he is jointly and severally liable in respect of those debts with the company and any other person who, whether under this section or otherwise, is so liable.
- (3) For the purposes of this section the relevant debts of a company are—
  - (a) in relation to a person who is personally responsible under paragraph (a) of subsection (1), such debts and other liabilities of the company as are incurred at a time when that person was involved in the management of the company, and
  - (b) in relation to a person who is personally responsible under paragraph (b) of that subsection, such debts and other liabilities of the company as are incurred at a time when that person was acting or was willing to act on instructions given as mentioned in that paragraph.
- (4) For the purposes of this section, a person is involved in the management of a company if he is a director of the company or if he is concerned, whether directly or indirectly, or takes part, in the management of the company.
- (5) For the purposes of this section a person who, as a person involved in the management of a company, has at any time acted on instructions given (without the leave of the court) by a person whom he knew at that time to be in contravention in relation to the company of section 216 is presumed, unless the contrary is shown, to have been willing at any time thereafter to act on any instructions given by that person.
- (6) In this section "company" includes a company which may be wound up under Part V.

## NOTES

This section derived from the Insolvency Act 1985, s 18(1) (in part), (2)–(6).

*Investigation and prosecution of malpractice*

## [1.221]

**218 Prosecution of delinquent officers and members of company**

- (1) If it appears to the court in the course of a winding up by the court that any past or present officer, or any member, of the company has been guilty of any offence in relation to the company for which he is criminally liable, the court may (either on the application of a person interested in the winding up or of its own motion) direct the liquidator to refer the matter—
  - (a) in the case of a winding up in England and Wales, to the Secretary of State, and
  - (b) in the case of a winding up in Scotland, to the Lord Advocate.]
- (2)
- (3) If in the case of a winding up by the court in England and Wales it appears to the liquidator, not being the official receiver, that any past or present officer of the company, or any member of it, has been guilty of an offence in relation to the company for which he is criminally liable, the liquidator shall report the matter to the official receiver.
- (4) If it appears to the liquidator in the course of a voluntary winding up that any past or present officer of the company, or any member of it, has been guilty of an offence in relation to the company for which he is criminally liable, he shall [forthwith report the matter—
  - (a) in the case of a winding up in England and Wales, to the Secretary of State, and
  - (b) in the case of a winding up in Scotland, to the Lord Advocate,
 and shall furnish to the Secretary of State or (as the case may be) the Lord Advocate] such information and give to him such access to and facilities for inspecting and taking copies of documents (being information or documents in the possession or under the control of the liquidator and relating to the matter in question) as [the Secretary of State or (as the case may be) the Lord Advocate] requires.
- (5) Where a report is made to the Secretary of State under subsection (4) he may, for the purpose of investigating the matter reported to him and such other matters relating to the affairs of the company as appear to him to require investigation, exercise any of the powers which are exercisable by inspectors appointed under section 431 or 432 of [the Companies Act 1985] to investigate a company's affairs.]
- (6) If it appears to the court in the course of a voluntary winding up that—
  - (a) any past or present officer of the company, or any member of it, has been guilty as above-mentioned, and
  - (b) no report with respect to the matter has been made by the liquidator . . . . under subsection (4),

the court may (on the application of the liquidator) direct the liquidator to refer the matter to the court. On a report being made to the court in pursuance of subsection (5) the court may (on the application of the liquidator) direct the liquidator to refer the matter to the court.

## NOTES

This section derived from the Insolvency Act 1985, s 18(1), (2); words in square brackets in s 18(1), (2); words in square brackets in s 18(2); repealed by the Insolvency Act 1986, s 21(2); substituted by the Insolvency Act 1986, s 21(2) "the Companies Act" by the Companies Act 2006, SI 2006/1941, art 10(1) at [1.622], [1.625].

Sub-s (6): words omitted re

## [1.222]

**219 Obligations arising from a report**

- (1) For the purpose of section 218(1) the court may direct the liquidator to refer the matter to the court. On a report being made to the court in pursuance of subsection (5) the court may (on the application of the liquidator) direct the liquidator to refer the matter to the court.
- (2) An answer given to the court in pursuance of section 218(5) may be taken into account in proceedings brought by or on behalf of the person to whom the question is asked, in the proceedings in which the question is asked, in the proceedings in which the question is asked, in the proceedings in which the question is asked.
- (3) Where criminal proceedings are brought by or on behalf of the person to whom the question is asked, in the proceedings in which the question is asked, in the proceedings in which the question is asked, in the proceedings in which the question is asked.

## NOTES

This section derived from the Insolvency Act 1985, s 18(1), (2); words in first and second pair of square brackets in s 18(1), (2); words in square brackets in s 18(2); substituted by the Insolvency Act 1986, s 21(2) "the Companies Act" by the Companies Act 2006, SI 2006/1941, art 10(1) at [1.622], [1.625].

## NOTES

Application of this Part in relation to winding up of the board and the Marketing Act 1958, s 3(3), See also Application of this Part in relation to court in relation to regulatory friendly societies; see s 52(9).

CHAPTER 22  
[PERMISSION] TO ACT AS DIRECTOR, ETC., OF COMPANY WITH PROHIBITED NAME (SECTION 216 OF THE ACT)

## NOTES

Cross-heading: word in square brackets substituted for original word "leave" by the Insolvency (Amendment) Rules 2010, SI 2010/686, r 2, Sch 1, para 1, subject to transitional provisions in r 6(1) of, and Sch 4, para 2(1)(b) to, the 2010 Rules at [1.631], [1.633].

## [5.508]

## 4.226 Preliminary

The Rules in this Chapter—

- (a) relate to the [permission] required under section 216 (restriction on re-use of name of company in insolvent liquidation) for a person to act as mentioned in section 216(3) in relation to a company with a prohibited name,
- (b) prescribe the cases excepted from that provision, that is to say, those in which a person to whom the section applies may so act without that [permission], and
- (c) apply to all windings up to which section 216 applies, whether or not the winding up commenced before the coming into force of the Rules].

## NOTES

Word in square brackets in paras (a), (b) substituted for original word "leave" by the Insolvency (Amendment) Rules 2010, SI 2010/686, r 2, Sch 1, para 1, subject to transitional provisions in r 6(1) of, and Sch 4, para 2(1)(b) to, the 2010 Rules at [1.631], [1.633]; word omitted from para (a) revoked and para (c) and word "and" immediately preceding it added by the Insolvency (Amendment) Rules 1987, SI 1987/1919, r 3(1), Schedule, Pt 1, para 81.

## [5.509]

## [4.227A] Application for permission under s 216(3)

(1) At least 14 days notice of any application for permission to act in any of the circumstances which would otherwise be prohibited by section 216(3) must be given by the applicant to the Secretary of State, who may—

- (a) appear at the hearing of the application; and
- (b) whether or not appearing at the hearing, make representations.

(2) When considering an application for permission under section 216, the court may call on the liquidator, or any former liquidator, of the liquidating company for a report of the circumstances in which that company became insolvent and the extent (if any) of the applicant's apparent responsibility for its doing so.]

## NOTES

Commencement: 6 April 2010.

Substituted for r 4.227 by the Insolvency (Amendment) Rules 2010, SI 2010/686, r 2, Sch 1, para 257, subject to transitional provisions in r 6(1) of, and Sch 4, para 1 to, the 2010 Rules at [1.631], [1.633]. Rule 4.227 previously read as follows.

## "4.227 Application for leave under s 216(3)

When considering an application for leave under section 216, the court may call on the liquidator, or any former liquidator, of the liquidating company for a report of the circumstances in which that company became insolvent, and the extent (if any) of the applicant's apparent responsibility for its doing so."

## [5.510]

## [4.228] First excepted case

(1) This Rule applies where—

- (a) a person ("the person") was within the period mentioned in section 216(1) a director, or shadow director, of an insolvent company that has gone into insolvent liquidation
- (b) the person acts in all or any of the ways specified in section 216(3) in connection with, or for the purposes of, the carrying on (or proposed carrying on) of the whole or substantially the whole of the business of the insolvent company where that business (or substantially the whole of it) is (or is to be) acquired from the insolvent company under arrangements—
  - (i) made by its liquidator; or
  - (ii) made before the insolvent company entered into insolvent liquidation by an office-holder acting in relation to it as administrator, administrative receiver or supervisor of a voluntary arrangement under Part 1 of the Act.

(2) The person, will not be taken to have contravened section 216 if prior to his acting in the circumstances set out in paragraph (1) a notice is, in accordance with the requirements of paragraph (3),—

- (a) given by the person, to every creditor of the insolvent company whose name and address—
  - (i) is known by him; or
  - (ii) is ascertainable by him on the making of such enquiries as are reasonable in the circumstances; and
- (b) published in the Gazette.

(3) The notice referred to in paragraph (2)—

- (a) may in pa comp
- (b) must
  - (i)
  - (ii)
  - (iii)

(iv)

- (c) must i
- (4) Notice m

- (a) prior substa arrang admin not at or
- (b) at a tit

(i)

(ii)

## NOTES

Commencement: Substituted by the provisions of that Rule (see below) of shadow director of Para (3): words Rules 2010, SI 2010 at [1.631], [1.633]. Prior to substituti

## "4.228 First

(1) Where a insolvent comp administrative r the purposes of (2) To be effe the insolvent co

(a) the na

acquir

(b) the na

busine

(c) any ch

Act.

(3) The notice insolvent compa of the successor

(4) If the succ who is so named notwithstanding

## [5.511]

## [4.229] Second

(1) Where a pe the liquidating c [business] days period specified notwithstanding

(2) The period liquidation and e court disposes of first.]

## ED NAME (SECTION 216

ncy (Amendment) Rules 2010,  
a 2(1)(b) to, the 2010 Rules at

on re-use of name of  
ed in section 216(3) in

se in which a person to  
ind  
or not the winding up

cy (Amendment) Rules 2010,  
2(1)(b) to, the 2010 Rules at  
ely preceding it added by the

y of the circumstances  
y the applicant to the

court may call on the  
of the circumstances in  
applicant's apparent

ra 257, subject to transitional  
viously read as follows.

for, or any former liquidator,  
insolvent, and the extent (if

216(1) a director, or  
nt liquidation  
n connection with, or  
whole or substantially  
ness (or substantially  
under arrangements—  
liquidation by an office-  
ceiver or supervisor

to his acting in the  
the requirements of

name and address—

re reasonable in the

- (a) may . . . be given and published before the completion of the arrangements referred to in paragraph (1)(b) but must be given and published no later than 28 days after that completion;
- (b) must state—
- (i) the name and registered number of the insolvent company;
  - (ii) the name of the person;
  - (iii) that it is his intention to act (or, where the insolvent company has not entered insolvent liquidation, to act or continue to act) in all or any of the ways specified in section 216(3) in connection with, or for the purposes of, the carrying on of the whole or substantially the whole of the business of the insolvent company; and
  - (iv) the prohibited name or, where the company has not entered insolvent liquidation, the name under which the business is being, or is to be, carried on which would be a prohibited name in respect of the person in the event of the insolvent company entering insolvent liquidation; and
- (c) must in the case of notice given to each creditor of the company be given using Form 4.73.
- (4) Notice may in particular be given under this Rule—
- (a) prior to the insolvent company entering insolvent liquidation where the business (or substantially the whole of the business) is, or is to be, acquired by another company under arrangements made by an office-holder acting in relation to the insolvent company as administrator, administrative receiver or supervisor of a voluntary arrangement (whether or not at the time of the giving of the notice the director is a director of that other company); or
  - (b) at a time where the person is a director of another company where—
    - (i) the other company has acquired, or is to acquire, the whole, or substantially the whole, of the business of the insolvent company under arrangements made by its liquidator; and
    - (ii) it is proposed that after the giving of the notice a prohibited name should be adopted by the other company.]

## NOTES

Commencement: 6 August 2007.

Substituted by the Insolvency (Amendment) Rules 2007, SI 2007/1974, r 3(1), (2), subject to transitional provisions in r 2 thereof which provides that r 4.228 as it stands before 6 August 2007 shall, in relation to any arrangements referred to in para (1) of that Rule (see below) which have been completed before that date, continue to apply to a person who was the director or shadow director of the insolvent company the whole, or substantially the whole, of whose business is acquired.

Para (3): words " , subject to compliance with sub-paragraph (a), " (omitted) revoked by the Insolvency (Amendment) Rules 2010, SI 2010/686, r 2, Sch 1, para 258, subject to transitional provisions in r 6(1) of, and Sch 4, para 1 to, the 2010 Rules at [1.631], [1.633].

Prior to substitution, r 4.228 read as follows:

## "4.228 First excepted case

- (1) Where a company ("the successor company") acquires the whole, or substantially the whole, of the business of an insolvent company, under arrangements made by an insolvency practitioner acting as its liquidator, administrator or administrative receiver, or as supervisor of a voluntary arrangement under Part I of the Act, the successor company may for the purposes of section 216 give notice under this Rule to the insolvent company's creditors.
- (2) To be effective, the notice must be given within 28 days from the completion of the arrangements, to all creditors of the insolvent company of whose addresses the successor company is aware in that period; and it must specify—
  - (a) the name and registered number of the insolvent company and the circumstances in which its business has been acquired by the successor company;
  - (b) the name which the successor company has assumed, or proposes to assume for the purpose of carrying on the business, if that name is or will be a prohibited name under section 216, and
  - (c) any change of name which it has made, or proposes to make, for that purpose under section 28 of the Companies Act.
- (3) The notice may name a person to whom section 216 may apply as having been a director or shadow director of the insolvent company, and give particulars as to the nature and duration of that directorship, with a view to his being a director of the successor company or being otherwise associated with its management.
- (4) If the successor company has effectively given notice under this Rule to the insolvent company's creditors, a person who is so named in the notice may act in relation to the successor company in any of the ways mentioned in section 216(3), notwithstanding that he has not the leave of the court under that section."

## [5.511]

## [4.229 Second excepted case

- (1) Where a person to whom section 216 applies as having been a director or shadow director of the liquidating company applies for [permission] of the court under that section not later than 7 [business] days from the date on which the company went into liquidation, he may, during the period specified in paragraph (2) below, act in any of the ways mentioned in section 216(3), notwithstanding that he has not the [permission] of the court under that section.
- (2) The period referred to in paragraph (1) begins with the day on which the company goes into liquidation and ends either on the day falling six weeks after that date or on the day on which the court disposes of the application for [permission] under section 216, whichever of those days occurs first.]

## NOTES

Substituted by the Insolvency (Amendment) Rules 1987, SI 1987/1919, r 3(1), Schedule, Pt 1, para 82.

Para (1): word in first and third pairs of square brackets substituted for original word "leave" and word in second pair of square brackets inserted by the Insolvency (Amendment) Rules 2010, SI 2010/686, r 2, Sch 1, paras 1, 259, subject to transitional provisions in r 6(1) of, and Sch 4, paras 1, 2(1)(b) to, the 2010 Rules at [1.631], [1.633].

Para (2): word in square brackets substituted for original word "leave" by SI 2010/686, r 2, Sch 1, para 1, subject to transitional provisions in r 6(1) of, and Sch 4, para 2(1)(b) to, the 2010 Rules at [1.631], [1.633].

## [5.512]

## 4.230 Third excepted case

The court's [permission] under section 216(3) is not required where the company there referred to, though known by a prohibited name within the meaning of the section—

- (a) has been known by that name for the whole of the period of 12 months ending with the day before the liquidating company went into liquidation, and
- (b) has not at any time in those 12 months been dormant within the meaning of [section 1169(1), (2) and (3)(a)] of the Companies Act.

## NOTES

Word in first pair of square brackets substituted for original word "leave" by the Insolvency (Amendment) Rules 2010, SI 2010/686, r 2, Sch 1, para 1, subject to transitional provisions in r 6(1) of, and Sch 4, para 2(1)(b) to, the 2010 Rules at [1.631], [1.633]; words in square brackets in para (b) substituted for original words "section 252(5)" by the Insolvency (Amendment) (No 2) Rules 2009, SI 2009/2472, r 3, 14, subject to transitional provisions in r 2 thereof at [1.627].

## [CHAPTER 23

## EC REGULATION—MEMBER STATE LIQUIDATOR

## [5.513]

## 4.231 Interpretation of creditor and notice to member State liquidator

- (1) This Rule applies where a member State liquidator has been appointed in relation to the company.
- (2) For the purposes of the Rules referred to in paragraph (3) the member State liquidator is deemed to be a creditor.
- (3) The Rules referred to in paragraph (2) are Rules 4.43(1) (official receiver's report), 4.45(1) (report on statement of affairs), 4.46(2) (report where no statement of affairs), 4.47(2) (general rule on reporting), 4.48(2) (winding up stayed), 4.49 (information to creditors), 4.50(2) (notice of meetings), 4.51(2) (notice of creditors' meeting—CVL), 4.54 (power to call meetings), 4.57(1) (requisitioned meetings), 4.57(3), 4.67 (entitlement to vote (creditors)), 4.68 (chairman's discretion to allow vote—CVL), 4.70 (admission and rejection of proof (creditors' meeting)), 4.73 (meaning of "prove"), 4.74 (supply of forms), 4.75 (contents of proof), 4.76 (particulars of creditor's claim), 4.78 (cost of proving), 4.79 (inspection of proofs), 4.82 (admission and rejection of proofs for dividend), 4.83(1) (appeal against decision in relation to proof), 4.83(2), 4.84 (withdrawal or variation of proof), 4.85(1) (expunging of proof), 4.86 (estimate of quantum), 4.87 (negotiable instruments, etc), 4.88 (secured creditors), 4.89 (discounts), 4.90 (mutual credit and set-off), 4.91 (debt in foreign currency), 4.92 (payment of a periodical nature), 4.93 (interest), 4.94 (debt payable at future time), 4.101A (power to fill vacancy in office of liquidator), 4.102(5) (appointment by court), 4.103(4) (appointment by court), 4.113(1) (meeting of creditors to remove liquidator), 4.114(1) (meeting of creditors to remove liquidator), 4.115 (regulation of meetings), 4.124(1) (release of official receiver), 4.125(1) (final meeting), [4.125A(2) (rule on reporting),] 4.126(1) (final meeting), 4.131(1) (challenge to liquidator's remuneration), 4.152(1) (liquidation committee), 4.152(3) (eligibility for liquidation committee), 4.163(3) (vacancy on liquidation committee), 4.175(1) (liquidation committee), 4.180 (notice of dividend) and 4.212(2) (notice of public examination hearing).
- (4) Paragraphs (2) and (3) are without prejudice to the generality of the right to participate referred to in paragraph 3 of Article 32 of the EC Regulation (exercise of creditor's rights).
- (5) Where the liquidator is obliged to give notice to, or provide a copy of a document (including an order of court) to, the court, the registrar of companies or the official receiver, the liquidator shall give notice or provide copies, as the case may be, to the member State liquidator.
- (6) Paragraph (5) is without prejudice to the generality of the obligations imposed by Article 31 of the EC Regulation (duty to cooperate and communicate information).]

## NOTES

Inserted, together with preceding heading, by the Insolvency (Amendment) Rules 2002, SI 2002/1307, r 3, 6(9).

Para (3): words "4.77 (claim established by affidavit)" (omitted) revoked by the Insolvency (Amendment) Rules 2010, SI 2010/686, r 2, Sch 1, para 260, subject to transitional provisions in r 6(1) of, and Sch 4, para 2(1)(b) to, the 2010 Rules at [1.631], [1.633]; words in square brackets inserted by the Insolvency (Amendment) Rules 2004, SI 2004/584, r 23, subject to transitional provisions in r 3 thereof at [1.595].

## [5.514]

## 5.1 Introduct

(1) The Rule except in rel. Chapters [7 an

(2) In this i section 263A-

- (a) Chapt
- (b) Chapt
- (c) Chapt
- (d) except
- (e) Chapt
- (f) Chapt

(3) In this P:

- (a) Chapt
- (b) Chapt

(4) In this P:

## NOTES

Part 5: rr 5.1-5 Schedule, Pt 3, pa

"(2) The sul to a voluntary date the intent principal Rule

Para (1): words r 8, Sch 1, para 28 Insolvency (Amend and Sch 4, para 1

Paras (2), (3): s read as follows:

"(2) In this:

- (a) Chaj
- (b) Chaj
- (c) Chaj
- (d) exce

Para (4): substi SI 2010/686, r 2, S [1.631], [1.633].

Rules 5.1-5.30 ( follows:

"5.1 Introduct

- (1) The Rule Act, makes a p or a scheme of
- (2) The Rule

5.2 Prepara

The debtor sha Rule 5.3(3) bel

5.3 Content

- (1) The debt is desirable, an
- (2) The follc

- (a) the f
  - (i)
  - (ii)
  - (iii)
- (b) parti arrar