



# Insolvency Act 1985

## 1985 CHAPTER 65

### PART III

#### INDIVIDUAL INSOLVENCY

#### CHAPTER I

##### VOLUNTARY ARRANGEMENTS

##### *Procedure pending consideration of proposal*

#### **112 Interim orders**

- (1) On an application under section 111 above or in a case falling within section 123(5) below, the court may make an interim order if it thinks that it would be appropriate to do so for the purpose of facilitating the consideration and implementation of the debtor's proposals.
- (2) The court shall not make an interim order on an application under section 111 above unless it is satisfied—
  - (a) that the debtor intends to make such a proposal as is mentioned in section 110 above ;
  - (b) that on the day of the making of the application the debtor was an undischarged bankrupt or was able to petition for his own bankruptcy ;
  - (c) that no previous application has been made by the debtor for an interim order in the period of twelve months ending with that day ; and
  - (d) that the nominee is a person who is for the time being qualified to act as an insolvency practitioner in relation to the debtor and is willing to act in relation to the debtor's proposal.
- (3) An interim order shall have the effect that during the period for which it is in force—

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

- (a) no bankruptcy petition relating to the debtor may be presented or proceeded with ; and
  - (b) no other proceedings and no execution or other legal process may be commenced or continued against the debtor or his property except with the leave of the court.
- (4) Where the debtor is an undischarged bankrupt an interim order may contain provision as to the conduct of the bankruptcy, and the administration of the bankrupt's estate, during the period for which the order is in force.
- (5) Subject to subsection (6) below, the provision contained in an interim order by virtue of subsection (4) above may include provision staying proceedings in the bankruptcy or modifying the provisions of this Part and the rules in their application to the debtor's bankruptcy.
- (6) An interim order shall not, in relation to a bankrupt, make provision relaxing or removing any of the requirements of this Part or of the rules unless the court is satisfied that the provision is unlikely to result in any significant diminution in, or in the value of, the debtor's estate for the purposes of the bankruptcy.
- (7) Subject to the following provisions of this Chapter, an interim order shall cease to have effect—
- (a) if made on an application under section 111 above, at the end of the period of fourteen days beginning with the day after the making of the order ;
  - (b) if made in pursuance of section 123(5) below, at the end of such period as the court may specify for the purpose of enabling the debtor's proposal to be considered by his creditors in accordance with the following provisions of this Chapter.