



Insolvency Act 1985

1985 CHAPTER 65

PART I

INSOLVENCY PRACTITIONERS

Authorisation by relevant authority

8 Reference to Tribunal

- (1) Where a person is served with a notice under section 6(2) above, he may—
 - (a) at any time within twenty-eight days after the date of service of the notice; or
 - (b) at any time after the making by him of any representations in accordance with section 7 above and before the end of the period of twenty-eight days after the date of the service on him of a notice by the relevant authority that the authority does not propose to alter its decision in consequence of the representations give written notice to the relevant authority requiring the case to be referred to the Tribunal referred to in subsection (6) below.
- (2) Where a requirement is made in accordance with subsection (1) above, then, unless the relevant authority —
 - (a) has decided or decides to grant the application or, as the case may be, not to withdraw the authorisation ; and
 - (b) within seven days after the date of the making of the requirement, gives written notice of that decision to the person by whom the requirement was made,it shall refer the case to the Tribunal.
- (3) On a reference under this section the Tribunal shall—
 - (a) investigate the case ; and
 - (b) make a report to the relevant authority stating what would in their opinion be the appropriate decision in the matter and the reasons for that opinion ;and it shall be the duty of the relevant authority to decide the matter accordingly.

Status: This is the original version (as it was originally enacted).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

- (4) The Tribunal shall send a copy of the report to the applicant or, as the case may be, the holder of the authorisation; and the relevant authority shall serve him with a written notice of the decision made by it in accordance with the report.
- (5) The relevant authority may, if it thinks fit, publish the report of the Tribunal.
- (6) For the purposes Of this section there shall be a tribunal—
 - (a) which shall be known as the Insolvency Practitioners Tribunal (in this Part referred to as " the Tribunal "); and
 - (b) in relation to which the provisions of Schedule 1 "to this Act shall apply.