

1989 No. 397

INSOLVENCY

COMPANIES

INDIVIDUALS, ENGLAND AND WALES

The Insolvency (Amendment) Rules 1989

Made - - - - 8th March 1989

Laid before Parliament 13th March 1989

Coming into force 3rd April 1989

The Lord Chancellor, in the exercise of his powers under sections 411 and 412 of the Insolvency Act 1986(a), with the concurrence of the Secretary of State, and after consulting the committee existing for that purpose under section 413 of that Act, hereby makes the following Rules:-

Citation and commencement

1. These Rules may be cited as the Insolvency (Amendment) Rules 1989 and shall come into force on 3rd April 1989, and that day is referred to in these Rules as "the commencement date".

Interpretation

2.—(1) In these Rules references to the "the principal Rules" are to the Insolvency Rules 1986(b) and a Rule or Schedule referred to by number means the Rule or Schedule so numbered in the principal Rules.

(2) These Rules shall be read and construed as one with the principal Rules.

Application

3.—(1) Subject to paragraph (2), the principal Rules have effect in relation to insolvency proceedings to which the principal Rules apply by virtue of Rule 13.14 with the amendments set out in the Schedule to these Rules.

(2) The principal Rules as so amended apply to all such proceedings on and after the commencement date whenever those proceedings were commenced.

Mackay of Clashfern, C.

Dated 8th March 1989

I concur,

Francis Maude
Parliamentary Under-Secretary of State,
Department of Trade and Industry

Dated 8th March 1989

(a) 1986 c.45.

(b) S.I. 1986/1925, amended by S.I. 1987/1919.

SCHEDULE

Rule 3(1)

Amendment of Rule 6.223

1. At the end of Rule 6.223 there shall be added the words "or section 71 of the Criminal Justice Act 1988".

Amendment of Rule 12.3

2. In subparagraph (b) of paragraph (2) of Rule 12.3 there shall be added at the end the words "or section 71 of the Criminal Justice Act 1988".

Amendment of Schedule 3

3. For paragraphs 1-5 of Schedule 3 to the principal Rules there shall be substituted the following-

- "1. For attendance £56.43.
2. Per folio of written record 78.8p plus 4p per folio for all copies.
3. Travelling time £5.93 per hour after first hour of each journey.
4. In addition to the items in paragraphs 1 to 3, the following London weighting allowances (see note below) are payable in relation to the location of the court or other place concerned-

<i>Inner</i>	<i>Intermediate</i>	<i>Outer</i>
£8.74 per day	£5.00 per day	£3.63 per day.
5. The amounts shown in paragraph 4 are subject to a maximum annual allowance of-

<i>Inner</i>	<i>Intermediate</i>	<i>Outer</i>
£1,750	£1,000	£725."

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules make detailed amendments to the Insolvency Rules 1986 (as amended by the Insolvency (Amendment) Rules 1987), which set out detailed procedures for the conduct of all company and individual insolvency proceedings in England and Wales under the Insolvency Act 1986. These Rules apply to all insolvency proceedings to which the Insolvency Rules 1986 apply on and after 3rd April 1989, whether or not those proceedings were commenced before, on or after that date.

The amendments-

- (a) are consequential on the coming into force on 3rd April 1989 of section 71 of the Criminal Justice Act 1988 (c.33); and
- (b) provide for an increase in the remuneration payable to shorthand writers appointed in insolvency proceedings.

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