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STATUTORY INSTRUMENTS

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**1993 No. 602**

**INSOLVENCY**

**COMPANIES**

**INDIVIDUALS, ENGLAND & WALES**

**The Insolvency (Amendment) Rules 1993**

<i>Made</i>	- - - -	<i>9th March 1993</i>
<i>Laid before Parliament</i>		<i>11th March 1993</i>
<i>Coming into force</i>	- -	<i>5th April 1993</i>

The Lord Chancellor, in the exercise of his powers under sections 411 and 412 of the Insolvency Act 1986(1), 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 1993 and shall come into force on 5th April 1993.

**Interpretation**

2. In these Rules references to “the principal Rules” are to the Insolvency Rules 1986(2), and a Rule or Schedule referred to by number means the Rule or Schedule so numbered in the principal Rules.

**Application**

3. The principal Rules shall have effect subject to the amendments set out in the Schedule to these Rules.

4th March 1993

*Mackay of Clashfern, C.*

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(1) 1986 c. 45.

(2) S.I.1986/1925, amended by S.I. 1987/1919, 1989/397 and 1991/495.

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**Status:** This is the original version (as it was originally made).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

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I concur, on behalf of the Secretary of State

9th March 1993

*N. Hamilton*  
Parliamentary Under Secretary of State,  
Department of Trade and Industry

## SCHEDULE

Rule 3

### **Amendment of Rule 7.17**

1. For paragraph (2) of Rule 7.17 there shall be substituted the following:—

“(2) Any question arising as to the rates of remuneration payable under this Rule shall be determined by the court in its discretion”.

### **Amendment of Rule 12.3**

2. In sub-paragraph (a) of paragraph (2) of Rule 12.3 there shall be deleted the words “or domestic” and added after “proceedings” the words “or under a maintenance assessment made under the Child Support Act 1991<sup>(3)</sup>”.

3. In paragraph (2) of Rule 12.3 there shall be deleted the words  
“; “domestic proceedings””.

### **Deletion of Schedule 3**

4. Schedule 3 shall be deleted.

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## **EXPLANATORY NOTE**

*(This note is not part of the Rules)*

These Rules further amend the Insolvency Rules 1986, which set out detailed procedures for the conduct of all company and individual insolvency proceedings in England and Wales under the Insolvency Act 1986, with effect from 5th April 1993. The amendments delete the provisions setting out the remuneration of shorthand writers appointed in insolvency proceedings but provide that any question arising as to the rates of remuneration payable under Insolvency Rule 7.17 shall be determined by the court in its discretion. The Rules also amend the definition of obligations arising which are not provable as debts in a bankruptcy, in the light of amendments made to section 281 of the Insolvency Act 1986 by the Children Act 1989 (c. 41), which redefines “family proceedings” and the Child Support Act 1991, which introduces maintenance assessments.

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(3) 1991 c. 48.