

SCHEDULE 3

Regulation 13

RECORDS TO BE MAINTAINED - MINIMUM REQUIREMENTS

Details of the insolvency practitioner acting in the case

1. The name of the insolvency practitioner acting in the case.
2. The identifying number or reference issued to the insolvency practitioner by a competent authority or any body recognised under section 391 of the Act.
3. The principal business address of the insolvency practitioner.
4. The name of —
 - (a) any body by virtue of whose rules the insolvency practitioner is entitled to practice; or
 - (b) any competent authority by whom the insolvency practitioner is authorised.

Details of the insolvent

5. The name of the person in respect of whom the insolvency practitioner is acting.
6. The type of the insolvency proceedings.

Progress of administration

7. As regards the progress of the administration of the case the following details if applicable—
 - (a) the date of commencement of the proceedings;
 - (b) the date of appointment of the insolvency practitioner;
 - (c) the date on which the appointment was notified to—
 - (i) the Registrar of Companies; or
 - (ii) the Accountant in Bankruptcy.

Bonding arrangements in the case

8. As regards the arrangements for security or caution in the case—
 - (a) the date of submission of the cover schedule which has the details of the specific penalty sum applicable in the case;
 - (b) the amount of the specific penalty sum;
 - (c) the name of the surety or cautioner;
 - (d) the date of submission to surety or cautioner of a cover schedule with any increase in the amount of the specific penalty sum;
 - (e) the amount of any revised specific penalty sum; and
 - (f) the date of submission to the surety or cautioner of details of termination of the office held by the insolvency practitioner.

Matters relating to remuneration

9. As regards the remuneration of the insolvency practitioner—
 - (a) the basis on which the remuneration of the insolvency practitioner is to be calculated; and
 - (b) the date and content of any resolution of creditors in relation to the remuneration of the insolvency practitioner.

Status: This is the original version (as it was originally made).

Meetings (other than any final meeting of creditors)

10. The dates of —

- (a) the meeting of members;
- (b) the date of first meeting of creditors—
 - (i) to consider an administrator’s proposals;
 - (ii) to consider an administrative receiver’s report;
 - (iii) in liquidation or bankruptcy;
 - (iv) to consider a voluntary arrangement proposal; or
 - (v) according to a trust deed for creditors;
- (c) the date of the statutory meeting in sequestration; and
- (d) the dates and purposes of any subsequent meetings.

Disqualification of Directors

11. As regards the insolvency practitioner’s duties under section 7 of the Company Directors Disqualification Act 1986⁽¹⁾ to report the conduct of directors—

- (a) the date a return under section 7 is due;
- (b) the date a return is submitted to the Secretary of State;
- (c) the date a conduct report is submitted to the Secretary of State; and
- (d) the date on which any further reports are submitted to the Secretary of State.

Vacation of office etc.

12. The following details regarding the completion of the case—

- (a) the date of the final notice to, or meeting of, creditors ;
- (b) the date that the insolvency practitioner vacates office; and
- (c) the date of release or discharge of the insolvency practitioner (or if there is no final meeting of creditors, the date of the final return of receipts and payments to the Secretary of State).

Distributions to creditors etc.

13. As regards distributions—

- (a) in relation to each payment to preferential or preferred creditors—
 - (i) the name of the person to whom the payment was made;
 - (ii) the date of the payment;
 - (iii) the amount of the payment;
- (b) in relation to each payment to unsecured creditors—
 - (i) the name of the person to whom the payment was made;
 - (ii) the date of the payment;
 - (iii) the amount of the payment; and
- (c) in relation to each return of capital—
 - (i) the name of the person to whom the return of capital was made;

(1) 1986 c. 46.

- (ii) the date of the payment; and
- (iii) the amount of capital returned or the value of any assets returned.

Statutory Returns

14. As regards any returns or accounts to be made to the Secretary of State, the Registrar of Companies or the Accountant in Bankruptcy—

- (a) as regards each interim return or abstract of receipts and payments;
 - (i) the date the return or abstract is due;
 - (ii) the date on which the return is filed; and
- (b) as regards any final return or abstract of receipts and payments—
 - (i) the date that the return or abstract is due; and
 - (ii) the date on which the return is filed.

Time recording

15. Records of the amount of time spent on the case by the insolvency practitioner and any persons assigned to assist in the administration of the case.