
STATUTORY INSTRUMENTS

2010 No. 2581

The Building Society Insolvency
(England and Wales) Rules 2010

PART 21

DECLARATION AND PAYMENT OF DIVIDEND

Preliminary

239.—(1) The rules in this Part relate to the declaration and payment of dividends in a building society insolvency.

(2) In this Part—

“creditors” means those creditors of the building society of whom the building society liquidator is aware, or who are identified in the building society’s statement of affairs, and

“the insolvent” means the building society.

Notice of intended dividend

240. Apply rule 11.2 of the 1986 Rules(1). Ignore paragraph (1)(b).

Final admission/rejection of proofs

241. Apply rule 11.3 of the 1986 Rules(2). Ignore paragraph (4).

Postponement or cancellation of dividend

242. Apply rule 11.4 of the 1986 Rules.

Decision to declare dividend

243. Apply rule 11.5 of the 1986 Rules.

Notice of declaration

244.—(1) Apply rule 11.6 of the 1986 Rules(3).

(2) Ignore paragraph (1)(b)(4).

(3) In paragraph (2), after (b), add—

“(ba) expenses incurred by the building society liquidator in the achievement of Objective 1 under section 99 of the Banking Act.”.

(1) Rule 11.2 was amended by [S.I. 2002/1307](#), [S.I. 1987/1919](#) and [S.I. 2009/642](#).

(2) Paragraphs (3) and (4) were added by [S.I. 2002/1307](#).

(3) Paragraph (3)(b) was substituted by [S.I. 2002/1307](#).

(4) Sub-paragraphs (a) and (b) of rule 11.6(1) were amended by [S.I. 2002/1307](#).

Notice of no, or no further, dividend

245. Apply rule 11.7 of the 1986 Rules.

Proof altered after payment of dividend

246. Apply rule 11.8 of the 1986 Rules.

Secured creditors

247. Apply rule 11.9 of the 1986 Rules.

Disqualification from dividend

248. Apply rule 11.10 of the 1986 Rules.

Assignment of right to dividend

249. Apply rule 11.11 of the 1986 Rules.

Preferential creditors

250. Apply rule 11.12 of the 1986 Rules⁽⁵⁾.

Debt payable at future time

251. Apply rule 11.13 of the 1986 Rules⁽⁶⁾. For paragraph (3) substitute—

“(3) In paragraph (2), “relevant date” means the date of the commencement of building society insolvency.”

(5) Paragraph (2) was amended by [S.I. 1987/1919](#).

(6) Paragraph (2) and (3) were substituted for the original paragraph (2) by [S.I. 2005/527](#).