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STATUTORY INSTRUMENTS

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**2013 No. 2135**

**INSOLVENCY**

**The Insolvency (Amendment) Rules 2013**

*Made* - - - - *21st August 2013*  
*Laid before Parliament* *3rd September 2013*  
*Coming into force* - - *1st October 2013*

The Lord Chancellor has consulted the committee existing for the purposes of section 413 of the Insolvency Act 1986<sup>(1)</sup> (“the Act”).

The Lord Chancellor makes the following Rules in exercise of the powers conferred by section 412(2) of the Act, and with the concurrence of the Secretary of State.

**Citation and commencement**

1. These Rules may be cited as the Insolvency (Amendment) Rules 2013 and come into force on 1st October 2013.

**Transitional provisions**

2. The revocations and amendments made by this instrument apply only in relation to a bankruptcy order that is made on or after 1st October 2013.

**Amendments to the Insolvency Rules 1986**

- 3.—(1) The Insolvency Rules 1986<sup>(3)</sup> are amended as follows.
- (2) Chapter 21A of Part 6 (notice under section 279(2)) is revoked.
- (3) In paragraph (6) of rule 6A.4 (entry of information onto the individual insolvency register), omit “or section 279(2)”.

**Amendments to the Insolvency (Amendment) Rules 2003**

4.—(1) Schedule 1 to the Insolvency (Amendment) Rules 2003<sup>(4)</sup> is amended as follows.

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(1) 1986 c. 45.  
(2) Section 412 was amended by the Insolvency Act (Amendment) Regulations 2002 (S.I. 2002/1037).  
(3) S.I. 1986/1925; relevant amending instruments are S.I. 2003/1730 and 2004/584; there are other amending instruments but none is relevant.  
(4) S.I. 2003/1730.

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**Status:** This is the original version (as it was originally made).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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(2) Paragraph 46 of Part 6 is revoked.

(3) In paragraph 53 of Part 7, the words “or section 279(2)” are revoked.

21st August 2013

*Chris Grayling*  
Lord Chancellor  
Ministry of Justice

I concur, on behalf of the Secretary of State

14th August 2013

*Jo Swinson*  
Parliamentary Under Secretary of State for  
Employment relations and Consumer Affairs  
Department for Business, Innovation and Skills

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## EXPLANATORY NOTE

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

These Rules make amendments to the Insolvency Rules 1986 (S.I. 1986/1925) and the Insolvency (Amendment) Rules 2003 (S.I. 2003/1730), required as a consequence of the repeal of s.279(2) Insolvency Act 1986 (c. 45) (bankrupt discharged early if official receiver files with the court a notice stating that investigation of the conduct and affairs of the bankrupt is unnecessary or concluded). This repeal is made by s.73 of and Part 3 of Schedule 21 to the Enterprise and Regulatory Reform Act 2013 (c. 24). Under s.279(2) Insolvency Act 1986 a bankrupt could be discharged in a period of less than one year (“early discharge”).

Amendments to the Insolvency Rules 1986 were made by the Insolvency (Amendment) Rules 2003 to include a chapter relating to early discharge and to provide for early discharge to be noted on the individual insolvency register.

Rule 3 removes the provisions relating to early discharge in the Insolvency Rules 1986 and rule 4 removes them from the Insolvency (Amendment) Rules 2003.

Rule 2 contains transitional provisions that restrict the changes made by this instrument to bankruptcy orders made from the date this instrument comes into effect.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Insolvency Service, 4 Abbey Orchard Street, London SW1P 2HT or from [www.insolvencydirect.bis.gov.uk](http://www.insolvencydirect.bis.gov.uk) and is published with the Explanatory Memorandum which is available alongside the instrument at [www.legislation.gov.uk](http://www.legislation.gov.uk).