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STATUTORY INSTRUMENTS

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**2014 No. 583**

**INSOLVENCY, ENGLAND AND WALES  
FEES**

**The Insolvency Proceedings (Fees) (Amendment) Order 2014**

<i>Made</i>	- - - -	<i>11th March 2014</i>
<i>Laid before Parliament</i>		<i>12th March 2014</i>
<i>Coming into force</i>	- -	<i>6th April 2014</i>

The Lord Chancellor, in exercise of the powers conferred by sections 414 and 415 of the Insolvency Act 1986(1) and with the sanction of the Treasury, makes the following Order—

**Citation and commencement**

1.—(1) This Order may be cited as the Insolvency Proceedings (Fees) (Amendment) Order 2014 and comes into force on 6th April 2014.

(2) In this Order any reference to a numbered article or Schedule is a reference to that article of, or Schedule to, the Insolvency Proceedings (Fees) Order 2004(2).

**Amendments to the Insolvency Proceedings (Fees) Order 2004**

2. Article 6(1) (deposits-winding up by the court and bankruptcy) the definition of “appropriate deposit” is amended as follows—

(a) in sub-paragraph (a), for “the sum of £1,165” substitute, “, other than a winding-up petition to be presented under section 124A, the sum of £1,250”;

(b) after sub-paragraph (a), add—

“(aa) in relation to a winding-up petition to be presented under section 124A the sum of £5,000”; and

(c) in sub-paragraph (c), for “£700” substitute “£750”.

3.—(1) In Schedule 2 the Table of Fees is amended as follows.

(2) In respect of the fee designated as B1, for “£1,715” prescribed as the amount of that fee, substitute “£1,850”.

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(1) 1986 c.45.

(2) S.I. 2004/593, amended by S.I. 2005/544, 2006/561, 2007/521, 2008/714, 2009/645, 2010/732 and 2011/1167.

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*Status: This is the original version (as it was originally made).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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(3) In respect of the fee designated as W1, substitute—

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“W1	<b>Winding up by the court other than a winding up on a petition presented under section 124A— official receiver’s administration fee</b>	
	For the performance by the official receiver of his general duties as official receiver on the making of a winding-up order other than on a petition presented under section 124A, including his duty to investigate and report upon the affairs of bodies in liquidation, there shall be payable a fee of—	£2,400
W1A	<b>Winding up by the court on a petition presented under section 124A— official receiver’s administration fee</b>	
	For the performance by the official receiver of his general duties as official receiver on the making of a winding-up order on a petition presented under section 124A, including his duty to investigate and report upon the affairs of bodies in liquidation, there shall be payable a fee of—	£5,000”

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**Transitional Provision**

4. The amendments made by this Order apply only to petitions presented on or after 6th April 2014.

Signed by authority of the Lord Chancellor

10th March 2014

*Shailesh Vara*  
Parliamentary Under Secretary of State  
Ministry of Justice

We concur

11th March 2014

*Mark Lancaster*  
*Stephen Crabb*  
Two of the Lords Commissioners of Her  
Majesty’s Treasury

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## EXPLANATORY NOTE

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

This Order makes amendments to the Insolvency Proceedings (Fees) Order 2004 (the “principal Order”).

Article 2 increases the amount of the deposit payable pursuant to article 6 of the principal Order on a creditor presenting a petition for bankruptcy or on the presentation of a petition for winding up. Where a debtor presents a petition for bankruptcy, the deposit remains unchanged. Article 2 also introduces a new higher deposit, representing the full administration fee due to the official receiver where a petition for winding-up is presented under section 124A of the Insolvency Act 1986 (petition for winding-up on the grounds of public interest).

Article 3 increases the official receiver’s administration fee payable in relation to bankruptcy and winding up by the court. It introduces a new higher administration fee in respect of a winding up following a petition presented under section 124A.

Article 4 provides that the increases apply only to petitions presented on or after 6th April 2014.

A full impact assessment of the effect that the 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 and is published on The Insolvency Service website [www.insolvency.gov.uk](http://www.insolvency.gov.uk). It is also published with the Explanatory Memorandum alongside the instrument on [www.legislation.gov.uk](http://www.legislation.gov.uk).