

---

STATUTORY INSTRUMENTS

---

**2016 No. 1024**

**The Insolvency (England and Wales) Rules 2016**

**PART 11**

**BANKRUPTCY AND DEBT RELIEF RESTRICTIONS ORDERS  
AND UNDERTAKINGS AND THE INSOLVENCY REGISTERS**

**CHAPTER 4**

**Bankruptcy restrictions and debt relief restrictions undertakings**

[Note: a document required by the Act or these Rules must also contain the standard contents set out in Part 1.]

**Acceptance of a bankruptcy restrictions or a debt relief restrictions undertaking**

**11.10.**—(1) A bankruptcy restrictions undertaking authenticated by the bankrupt is accepted by the Secretary of State for the purposes of paragraph 9 of Schedule 4A when the Secretary of State authenticates the undertaking.

(2) A debt relief restrictions undertaking authenticated by a person in relation to whom a debt relief order has been made is accepted by the Secretary of State for the purposes of paragraph 9 of Schedule 4ZB when the Secretary of State authenticates the undertaking.

**Notification**

**11.11.**—(1) The Secretary of State must, as soon as reasonably practicable after accepting a bankruptcy restrictions undertaking or a debt relief restrictions undertaking, deliver copies to the person who offered the undertaking and to the official receiver.

(2) In the case of a bankruptcy restrictions undertaking the Secretary of State must also file a copy with the court in the case of a creditor's bankruptcy petition or on the bankruptcy file in the case of a debtor's bankruptcy application.

**Application to annul a bankruptcy restrictions or a debt relief restrictions undertaking**

**11.12.**—(1) An application by a bankrupt or debtor to annul or vary an undertaking under paragraph 9(3)(a) or (b) of Schedule 4A or paragraph 9(3)(a) or (b) of Schedule 4ZB must be supported by a witness statement stating the grounds on which the application is made.

(2) The bankrupt or debtor must, at least 28 days before the date fixed for the hearing, deliver to the Secretary of State—

- (a) a notice of the venue;
- (b) a copy of the application; and
- (c) a copy of the supporting witness statement.

(3) The Secretary of State may attend the hearing and call the attention of the court to any matter which seems to be relevant, and may give evidence or call witnesses.

(4) Where the court annuls or varies a bankruptcy restrictions undertaking or debt relief restrictions undertaking, it must deliver two sealed copies of the order to the Secretary of State as soon as reasonably practicable.

(5) As soon as reasonably practicable after receiving the sealed copies, the Secretary of State must deliver one of them to the bankrupt or debtor.