
EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules make amendments to the Insolvency Rules 1986 ([S.I. 1986/1925](#)) (the “Principal Rules”).

Section 71 of the Enterprise and Regulatory Reform Act 2013 introduces a new procedure for a debtor to apply for their own bankruptcy in England and Wales.

Rule 5(a) substitutes a new Chapter 3 (debtor’s bankruptcy applications) in place of the previous Chapter 3 (bankruptcy petition (debtor’s)) into Rule 6 of the Principal Rules in consequence of the introduction of the new debtor application procedure. Rule 10 inserts Schedules 2A, 2B, and 2C into the Principal Rules. Other amendments consequent on the new procedure are made to the Principal Rules by these Rules.

Rule 12 is a transitional provision. The amendments made by these Rules as a result of the new debtor bankruptcy application process will only apply to debtor bankruptcy proceedings commenced on or after 6th April 2016.

Rule 13 provides that these Rules must be reviewed by 5th April 2021.

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.gov.uk/government/organisations/insolvency-service. It is also published with the Explanatory Memorandum alongside the instrument on www.legislation.gov.uk.