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STATUTORY INSTRUMENTS

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**2016 No. 1024**

The Insolvency (England and Wales) Rules 2016

PART 18

REPORTING AND REMUNERATION OF OFFICE-HOLDERS

CHAPTER 4

Remuneration and expenses in administration, winding up and bankruptcy

**Remuneration: application to the court to fix the basis**

**18.23.**—(1) If the basis of the administrator's remuneration or the liquidator's remuneration in a voluntary winding up is not fixed under rules 18.18 to 18.20 (as applicable) then the administrator or liquidator must apply to the court for it to be fixed.

(2) Before making such an application the liquidator or administrator must attempt to fix the basis in accordance with rules 18.18 to 18.20.

(3) An application under this rule may not be made more than 18 months after the date of the administrator's or liquidator's appointment.

(4) In a members' voluntary winding up—

- (a) the liquidator must deliver at least 14 days' notice of such an application to the company's contributories, or such one or more of them as the court may direct; and
- (b) the contributories may nominate one or more of their number to appear, or be represented, and to be heard on the application.