*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*
*Changes to legislation: Insolvency Act 1986, Section 236 is up to date with all changes known to be in force*
*on or before 16 April 2024. There are changes that may be brought into force at a future date. Changes that*
*have been made appear in the content and are referenced with annotations. (See end of Document for details)*

# Insolvency Act 1986

## 1986 CHAPTER 45

### PART VI

### MISCELLANEOUS PROVISIONS APPLYING TO
### COMPANIES WHICH ARE INSOLVENT OR IN LIQUIDATION

*Management by administrators, liquidators, etc.*

**236    Inquiry into company's dealings, etc.**

(1) This section applies as does section 234; and it also applies in the case of a company
in respect of which a winding-up order has been made by the court in England and
Wales as if references to the office-holder included the official receiver, whether or
not he is the liquidator.

(2) The court may, on the application of the office-holder, summon to appear before it—
   (a)   any officer of the company,
   (b)   any person known or suspected to have in his possession any property of the
         company or supposed to be indebted to the company, or
   (c)   any person whom the court thinks capable of giving information concerning
         the promotion, formation, business, dealings, affairs or property of the
         company.

(3) The court may require any such person as is mentioned in subsection (2)(a) to (c) to
submit an affidavit to the court containing an account of his dealings with the company
or to produce any books, papers or other records in his possession or under his control
relating to the company or the matters mentioned in paragraph (c) of the subsection.

(4) The following applies in a case where—
   (a)   a person without reasonable excuse fails to appear before the court when he
         is summoned to do so under this section, or
   (b)   there are reasonable grounds for believing that a person has absconded, or
         is about to abscond, with a view to avoiding his appearance before the court
         under this section.

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*Insolvency Act 1986 (c. 45)*
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(5) The court may, for the purpose of bringing that person and anything in his possession before the court, cause a warrant to be issued to a constable or prescribed officer of the court—

    (a) for the arrest of that person, and

    (b) for the seizure of any books, papers, records, money or goods in that person's possession.

(6) The court may authorise a person arrested under such a warrant to be kept in custody, and anything seized under such a warrant to be held, in accordance with the rules, until that person is brought before the court under the warrant or until such other time as the court may order.

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**Modifications etc. (not altering text)**

**C1**    S. 236 applied (with modifications) (S.) (6.4.2001) by S.S.I. 2001/128, reg. 4(1), Sch. 2 (as amended (1.10.2009) by S.S.I. 2009/310, reg. 3, **Sch. 1 para. 1(c)**)

**C2**    S. 236 applied (with modifications) (17.2.2009 for certain purposes, otherwise 21.2.2009) by Banking Act 2009 (c. 1), **ss. 103**, 263(1)(2) (with s. 247); S.I. 2009/296, **arts. 2**, 3, Sch. para. 2

**C3**    S. 236 applied (with modifications) (17.2.2009 for certain purposes, otherwise 21.2.2009) by Banking Act 2009 (c. 1), **ss. 145**, 263(1)(2) (with s. 247); S.I. 2009/296, **arts. 2**, 3, Sch. para. 3

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