
STATUTORY INSTRUMENTS

2003 No. 3363

The Insolvency Practitioners and Insolvency Services Account (Fees) Order 2003

Citation, Commencement, Interpretation and Extent

1.—(1) This Order may be cited as the Insolvency Practitioners and Insolvency Services Account (Fees) Order 2003 and shall come into force on 1st April 2004 (“the principal commencement date”) except for Article 2(3) which shall come into force on 30th January 2004.

(2) In this Order any reference to a numbered section is to the section so numbered in the Insolvency Act 1986.

(3) All the provisions of this Order except Article 5 and the Schedule to this Order extend to England and Wales and Scotland and Article 5 and the Schedule to this Order extend only to England and Wales.

Fees payable in connection with the recognition of professional bodies pursuant to section 391

2.—(1) Every application by a body for recognition pursuant to section 391 shall be accompanied by a fee of £4,500.

(2) On the principal commencement date and on or before 1st April in each subsequent year there shall be paid to the Secretary of State by each body recognised pursuant to section 391 in respect of the maintenance of that body’s recognition pursuant to section 391, a fee calculated by multiplying £100 by the number of persons who as at the preceding 1st January in that year were authorised to act as insolvency practitioners by virtue of membership of that body.

(3) Each body recognised pursuant to section 391 shall on or before 31st January in each year submit to the Secretary of State a list of its members who as at 1st January in that year were authorised to act as insolvency practitioners by virtue of membership of that body.

Fees payable in connection with authorisations by the Secretary of State under section 393

3.—(1) Every person who on the principal commencement date is the holder of an authorisation to act as an insolvency practitioner granted by the Secretary of State pursuant to section 393 shall within 7 days of that date pay to the Secretary of State a fee in respect of the maintenance of that authorisation calculated in accordance with paragraph (2).

(2) The fee payable by virtue of paragraph (1) shall be calculated by multiplying £2,000 by the number of days in the period starting with the principal commencement date and ending with the date immediately before the next anniversary of the granting of the authorisation or the date of expiry of the authorisation (whichever occurs first) and dividing the result by 365.

(3) Every application made to the Secretary of State pursuant to section 392 for authorisation to act as an insolvency practitioner shall be accompanied by a fee of £2,000.

(4) Subject to paragraph (5), every person who holds an authorisation granted by the Secretary of State pursuant to section 393 to act as an insolvency practitioner shall, on each anniversary of the

granting of that authorisation when it is in force, pay to the Secretary of State in connection with the maintenance of that authorisation a fee of £2,000.

(5) Where on the relevant anniversary the authorisation mentioned in paragraph (4) has less than a year to run, the fee shall be calculated by multiplying £2,000 by the number of days that the authorisation has to run (starting with the day of the anniversary) and dividing the result by 365.

Transitional cases – early applications for authorisation

4.—(1) This article applies to an application made to the Secretary of State pursuant to section 392 for the granting of an authorisation to act as an insolvency practitioner—

- (a) where the applicant was as at the date of its making the holder of an authorisation granted pursuant to section 393;
- (b) where the application was made—
 - (i) after the date of the making of this Order but before the principal commencement date; and
 - (ii) more than three months before the expiry of the authorisation mentioned in subparagraph (a); and
- (c) in respect of which as at the principal commencement date no decision as to whether to grant or refuse it has been taken.

(2) In respect of an application to which this article applies, there shall be paid to the Secretary of State by the applicant within 7 days of the principal commencement date a fee of £1,500.

Fees payable in connection with the operation of the Insolvency Services Account

5. There shall be payable in connection with the operation of the Insolvency Services Account fees as provided for in the Schedule to this Order.

Value Added Tax

6. Where Value Added Tax is chargeable in respect of the provision of a service for which a fee is prescribed by any provision of this Order, there shall be payable in addition to that fee the amount of the Value Added Tax.

30th December 2003

Nigel Griffiths
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