
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 12

COURT PROCEDURE AND PRACTICE

CHAPTER 1

General

Application of the Civil Procedure Rules 1998

Court rules and practice to apply

12.1.—(1) The provisions of the CPR (including any related Practice Directions) apply for the purposes of proceedings under [F1Part A1] to 11 of the Act with any necessary modifications, except so far as disapplied by or inconsistent with these Rules.

(2) All insolvency proceedings must be allocated to the multi-track for which CPR Part 29 makes provision, and accordingly those provisions of the CPR which provide for directions questionnaires and track allocation do not apply.

(3) CPR Part 32 M1 applies to a false statement in a document verified by a statement of truth made under these Rules as it applies to a false statement in a document verified by a statement of truth made under CPR Part 22 M2.

Textual Amendments

F1 Words in [rule 12.1](#) substituted (1.10.2021) by virtue of [The Insolvency \(England and Wales\) \(No.2\) \(Amendment\) Rules 2021 \(S.I. 2021/1028\)](#), [rule 1](#), [Sch. 1 paras. 2, 3 Table](#) (with [rules 4, 5](#))

Modifications etc. (not altering text)

C1 [Rule 12.1](#) applied (with modifications) (temp.) (26.6.2020) by [Corporate Insolvency and Governance Act 2020 \(c. 12\)](#), [s. 49\(1\)](#), [Sch. 4 para. 47](#) (with [ss. 2\(2\), 5\(2\)](#), [Sch. 4 para. 12](#))

C2 [Rule 12.1](#) applied (with modifications) (30.9.2021) by [S.I. 2014/229](#), [art. 2\(2A\)](#), [Sch. 1A paras. 1\(4\) \(5\), 35, 38](#) (as inserted by [The Co-operative and Community Benefit Societies \(Administration\) \(Amendment\) Order 2021 \(S.I. 2021/1048\)](#), [arts. 1\(1\), 2](#))

C3 [Rules 12.1, 12.2](#) applied (with modifications) (19.3.2024) by [The Water Industry \(Special Administration\) \(England and Wales\) Rules 2024 \(S.I. 2024/229\)](#), [rules 1, 5, 61](#), [Sch.](#) (with [rule 2\(2\)](#))

Marginal Citations

M1 The relevant part of Part 32 is amended by [S.I. 2012/2208](#).

M2 The relevant part of Part 22 is amended by [S.I.s 2001/1769, 2001/4015 and 2014/3419](#).

Status: Point in time view as at 19/03/2024.

Changes to legislation: There are currently no known outstanding effects for the The Insolvency (England and Wales) Rules 2016, CHAPTER 1. (See end of Document for details)

Performance of functions by the Court

12.2.—(1) Anything to be done under or by virtue of the Act or these Rules by, to or before the court may be done by, to or before a judge, District Judge or a registrar.

(2) The registrar or District Judge may authorise any act of a formal or administrative character which is not by statute that person's responsibility to be carried out by the chief clerk or any other officer of the court acting on that person's behalf, in accordance with directions given by the Lord Chancellor.

(3) The hearing of an application must be in open court unless the court directs otherwise.

Modifications etc. (not altering text)

- C3** Rules 12.1, 12.2 applied (with modifications) (19.3.2024) by [The Water Industry \(Special Administration\) \(England and Wales\) Rules 2024 \(S.I. 2024/229\)](#), rules 1, 5, 61, **Sch.** (with rule 2(2))
- C4** Rule 12.2 applied (with modifications) (temp.) (26.6.2020) by [Corporate Insolvency and Governance Act 2020 \(c. 12\)](#), s. 49(1), **Sch. 4 para. 47** (with ss. 2(2), 5(2), Sch. 4 para. 12)
- C5** Rule 12.2 applied (with modifications) (30.9.2021) by [S.I. 2014/229](#), art. 2(2A), Sch. 1A paras. 1(4) (5), **35, 38** (as inserted by [The Co-operative and Community Benefit Societies \(Administration\) \(Amendment\) Order 2021 \(S.I. 2021/1048\)](#), arts. 1(1), **2**)

Status:

Point in time view as at 19/03/2024.

Changes to legislation:

There are currently no known outstanding effects for the The Insolvency (England and Wales) Rules 2016, CHAPTER 1.