
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 10

BANKRUPTCY

CHAPTER 3

Debtors' bankruptcy applications

Appeal to the court following a review of refusal to make a bankruptcy order

10.44.—(1) Following a decision by the adjudicator to confirm the refusal to make a bankruptcy order, a debtor may appeal the decision to the court.

(2) An appeal under this rule must be made within 28 days from the date of delivery of the confirmation of the notice of refusal.

(3) The appeal must set out the grounds for the appeal.

(4) The court must either—

- (a) dismiss the application; or
- (b) make a bankruptcy order against the debtor.

(5) The bankruptcy order must contain—

- (a) the information set out in Part 1 of Schedule 7;
- (b) the date of delivery of the bankruptcy application on which the order is made;
- (c) the date and time of the making of the order; and
- (d) a statement that the order has been made following an appeal to the court under this rule.

(6) The adjudicator is not personally liable for costs incurred by any person in respect of an application under this rule.

(7) As soon as reasonably practicable after the making of the bankruptcy order the court must deliver sealed copies of the order to the debtor and the official receiver.