
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 10

BANKRUPTCY

CHAPTER 3

Debtors' bankruptcy applications

The bankruptcy file

10.47.—(1) On receipt of a bankruptcy application, the adjudicator must open a file on which the adjudicator must place the bankruptcy application and any documents which are filed with the adjudicator under this Chapter.

(2) As soon as reasonably practicable following the making of the bankruptcy order the adjudicator must deliver the bankruptcy file to the official receiver.

(3) The official receiver must place on the bankruptcy file—

- (a) any documents delivered to the official receiver by the court; and
- (b) any notices delivered to the official receiver under these Rules.

(4) The following persons may inspect the bankruptcy file—

- (a) the court;
- (b) the trustee;
- (c) the Secretary of State; and
- (d) the bankrupt.

(5) Following the making of a bankruptcy order, a creditor may inspect the following information and documents filed on the bankruptcy file—

- (a) the information provided to the adjudicator and set out in Schedule 9;
- (b) the bankruptcy order; and
- (c) directions and orders of the court, if any.

(6) The right to inspect the bankruptcy file may be exercised on that person's behalf by a person authorised to do so by that person.

(7) Any person who is not otherwise entitled to inspect the bankruptcy file (or any part of it) may do so if the court gives permission.

(8) The court may direct that the bankruptcy file, a document (or part of it) must not be made available under this rule without the permission of the court.

(9) An application for a direction to withhold the bankruptcy file, a document (or part of it) may be made by—

- (a) the official receiver;

- (b) the trustee; or
 - (c) any person appearing to the court to have an interest.
- (10) An application under this rule for—
- (a) permission to inspect the bankruptcy file; or
 - (b) a direction to withhold the bankruptcy file, a document (or part of it),
- may be made without notice to any other party, but the court may direct that notice must be delivered to any person who would be affected by its decision.