
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 7

WINDING UP BY THE COURT

CHAPTER 13

Public examination of company officers and others (section 133)

Request by a contributory for a public examination

7.100.—(1) A request made under section 133(2) by a contributory to the official receiver for the public examination of a person must contain—

- (a) identification details for the company;
 - (b) the name and postal address of the contributory;
 - (c) the name and postal address of the proposed examinee;
 - (d) a description of the relationship which the proposed examinee has, or has had, with the company;
 - (e) a request by the contributory to the official receiver to apply to the court for a public examination of the proposed examinee under section 133(2);
 - (f) the number of shares held in the company by the contributory;
 - (g) the number of votes to which the contributory is entitled;
 - (h) a statement that the total amount of the contributory's and any concurring contributories' shares and votes is believed to represent not less than three-quarters in value of the company's contributories;
 - (i) a statement that the contributory understands the requirement to deposit with the official receiver such sum as the official receiver may determine to be appropriate by way of security for the expenses of holding a public examination; and
 - (j) a statement that the contributory believes that a public examination is required for the reason specified in the request.
- (2) The request must be authenticated and dated by the contributory.
- (3) The request must be accompanied by—
- (a) a list of the contributories concurring with the request and the number of shares and votes each holds in the company; and
 - (b) from each concurring contributory, confirmation of the concurrence and of the number of shares and votes held in the company.