
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 7

WINDING UP BY THE COURT

CHAPTER 3

Petition for winding-up order

Verification of petition

- 7.6.**—(1) The petition must be verified by a statement of truth.
- (2) Where the petition is in respect of debts due to different creditors then the debt to each creditor must be verified separately.
- (3) A statement of truth which is not contained in or endorsed upon the petition must identify the petition and must contain—
- (a) identification details for the company;
 - (b) the name of the petitioner; and
 - (c) the name of the court (and hearing centre if applicable) in which the petition is to be presented.
- (4) The statement of truth must be authenticated and dated by or on behalf of the petitioner.
- (5) Where the person authenticating the statement of truth is not the petitioner, or one of the petitioners, the statement of truth must state—
- (a) the name and postal address of the person making the statement;
 - (b) the capacity in which, and the authority by which, the person authenticates the statement; and
 - (c) the means of that person's knowledge of the matters verified in the statement of truth.
- (6) If the petition is based on a statutory demand, and more than four months have elapsed between the service of the demand and the presentation of the petition, a witness statement must explain the reasons for the delay.
- (7) A statement of truth verifying more than one petition must include in its title the names of the companies to which it relates and must set out, in relation to each company, the statements relied on by the petitioner; and a clear and legible photocopy of the statement of truth must be filed with each petition which it verifies.
- (8) The witness statement must give the reasons for the statement that the proceedings will be [F1COMI proceedings, establishment proceedings or proceedings to which the EU Regulation as it has effect in the law of the United Kingdom does not apply].

Changes to legislation: There are currently no known outstanding effects for the The Insolvency (England and Wales) Rules 2016, Section 7. (See end of Document for details)

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Textual Amendments

- F1** Words in [rule 7.6\(8\)](#) substituted (31.12.2020) by [The Insolvency \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/146\)](#), reg. 1(3), [Sch. para. 72](#) (with regs. 4, 5); 2020 c. 1, Sch. 5 para. 1(1)

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