
STATUTORY INSTRUMENTS

2021 No. 1028

**The Insolvency (England and Wales)
(No.2) (Amendment) Rules 2021**

PART 3

Miscellaneous amendments of the Insolvency Rules

Amendment of Part 7 of the Insolvency Rules

45.—(1) Rule 7.115 (grant of approval or authorisation) is amended as follows.

(2) For paragraph (3) substitute—

“(3) Paragraph (3A) applies where the liquidator requires the approval or authorisation of—

(a) two or more—

(i) preferential creditors, or

(ii) creditors of the kind described in rule 7.111(za); or

(b) one or more preferential creditors together with one or more creditors of the kind described in rule 7.111(za).”.

(3) After paragraph (3) insert—

“(3A) Where this paragraph applies approval or authorisation will be taken to be given where a majority in value of those creditors referred to in sub-paragraphs (3)(a)(i) or (ii) or (3)(b) (as the case may be) who respond within the specified time limit approve or authorise—

(a) the specified amount; or

(b) a different amount which the liquidator considers sufficient.”.

(4) For paragraph (4) substitute—

“(4) Where a majority in value of—

(a) two or more—

(i) preferential creditors, or

(ii) creditors of the kind described in rule 7.111(za); or

(b) one or more preferential creditors together with one or more creditors of the kind described in rule 7.111(za),

propose an amount other than that specified by the liquidator, they will be taken to have approved or authorised an amount equal to the lowest of the amounts so proposed.”.