
STATUTORY INSTRUMENTS

2013 No. 2135

INSOLVENCY

The Insolvency (Amendment) Rules 2013

Made - - - - *21st August 2013*
Laid before Parliament *3rd September 2013*
Coming into force - - *1st October 2013*

The Lord Chancellor has consulted the committee existing for the purposes of section 413 of the Insolvency Act 1986⁽¹⁾ (“the Act”).

The Lord Chancellor makes the following Rules in exercise of the powers conferred by section 412(2) of the Act, and with the concurrence of the Secretary of State.

Citation and commencement

1. These Rules may be cited as the Insolvency (Amendment) Rules 2013 and come into force on 1st October 2013.

Transitional provisions

2. The revocations and amendments made by this instrument apply only in relation to a bankruptcy order that is made on or after 1st October 2013.

Amendments to the Insolvency Rules 1986

3.—(1) The Insolvency Rules 1986⁽³⁾ are amended as follows.
(2) Chapter 21A of Part 6 (notice under section 279(2)) is revoked.
(3) In paragraph (6) of rule 6A.4 (entry of information onto the individual insolvency register), omit “or section 279(2)”.

Amendments to the Insolvency (Amendment) Rules 2003

4.—(1) Schedule 1 to the Insolvency (Amendment) Rules 2003⁽⁴⁾ is amended as follows.

(1) [1986 c. 45](#).
(2) Section 412 was amended by the Insolvency Act (Amendment) Regulations 2002 ([S.I. 2002/1037](#)).
(3) [S.I. 1986/1925](#); relevant amending instruments are [S.I. 2003/1730](#) and [2004/584](#); there are other amending instruments but none is relevant.
(4) [S.I. 2003/1730](#).

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(2) Paragraph 46 of Part 6 is revoked.

(3) In paragraph 53 of Part 7, the words “or section 279(2)” are revoked.

21st August 2013

Chris Grayling
Lord Chancellor
Ministry of Justice

I concur, on behalf of the Secretary of State

14th August 2013

Jo Swinson
Parliamentary Under Secretary of State for
Employment relations and Consumer Affairs
Department for Business, Innovation and Skills

EXPLANATORY NOTE

(This note is not part of the Order)

These Rules make amendments to the Insolvency Rules 1986 (S.I. 1986/1925) and the Insolvency (Amendment) Rules 2003 (S.I. 2003/1730), required as a consequence of the repeal of s.279(2) Insolvency Act 1986 (c. 45) (bankrupt discharged early if official receiver files with the court a notice stating that investigation of the conduct and affairs of the bankrupt is unnecessary or concluded). This repeal is made by s.73 of and Part 3 of Schedule 21 to the Enterprise and Regulatory Reform Act 2013 (c. 24). Under s.279(2) Insolvency Act 1986 a bankrupt could be discharged in a period of less than one year (“early discharge”).

Amendments to the Insolvency Rules 1986 were made by the Insolvency (Amendment) Rules 2003 to include a chapter relating to early discharge and to provide for early discharge to be noted on the individual insolvency register.

Rule 3 removes the provisions relating to early discharge in the Insolvency Rules 1986 and rule 4 removes them from the Insolvency (Amendment) Rules 2003.

Rule 2 contains transitional provisions that restrict the changes made by this instrument to bankruptcy orders made from the date this instrument comes into effect.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Insolvency Service, 4 Abbey Orchard Street, London SW1P 2HT or from www.insolvencydirect.bis.gov.uk and is published with the Explanatory Memorandum which is available alongside the instrument at www.legislation.gov.uk.