

Statement of the Creditors or Members rights to request further information.

Insolvency Amendment Rules 2010

Applicable to cases where the petition, winding up order or resolution was presented on or after 6 April 2010.

Within 21 days of receipt of a progress report, a creditor may request the office holder to provide further information about the remuneration and expenses set out in the report. A request must be in writing, and may be made by:

- a secured creditor, or
- an unsecured creditor with the concurrence of at least 5% in value of the creditors (including that creditor) or the permission of the court;
- with the permission of the court –
- any unsecured creditor

The office holder must provide the requested information within 14 days, unless he considers that:

- the time or cost in preparing the information would be excessive, or
- disclosure would be prejudicial to the conduct of the proceedings or might be expected to lead to violence against any person, or
- the office holder is subject to an obligation of confidentiality in relation to the information requested,

in which case he must give the reasons for not providing the information.

Any creditor may apply to court within 21 days of the office holder's refusal to provide the requested information, or the expiry of the 14 days time limit for the provision of the information.