

## Extract from The Insolvency (Amendment) Rules 2010

### Text referring to standard text for Gazette notices (in addition to notice specific information defined elsewhere in the document)

#### CHAPTER 7

#### GAZETTE NOTICES

##### **12A.33 Contents of notices to be gazetted under the Act or Rules**

(1) Except when paragraph (3) applies, where under the Act or the Rules a notice is gazetted, in addition to any content specifically required by the Act or any other provision of the Rules, the content of such a notice must be as set out in this Chapter.

(2) All notices published must specify insofar as it is applicable in relation to the particular notice—

- (a) the name and postal address of the office-holder acting in the proceedings;
- (b) the capacity in which the office-holder is acting and the date of appointment;
- (c) either an e-mail address, or a telephone number, through which the office-holder may be contacted;
- (d) the name of any person other than the office-holder (if any) who may be contacted regarding the proceedings;
- (e) the number assigned to the office-holder by the Secretary of State; and
- (f) the court name and any number assigned to the proceedings by the court.

(3) This paragraph applies to notices under Rule 4.228(2) (first excepted case).

##### **12A.34 Gazette notices relating to companies**

In addition to the information required by Rule 12A.33 a notice relating to a company must specify—

- (a) the registered name of the company;
- (b) its registered number;
- (c) its registered office, or if an unregistered company, the postal address of its principal place of business;
- (d) any principal trading address if this is different from its registered office;
- (e) any name under which it was registered in the 12 months prior to the date of the commencement of the proceedings which are the subject of the Gazette notice; and
- (f) any name or style (other than its registered name) under which—
  - (i) the company carried on business; and
  - (ii) any debt owed to a creditor was incurred.

##### **12A.35 Gazette notices relating to bankrupts**

In addition to the information required by Rule 12A.33 a notice relating to a bankruptcy must state,—

- (a) the bankrupt's full name and residential address;

- (b) any other address at which the bankrupt has resided in the period of 12 months preceding the making of the bankruptcy order;
- (c) the bankrupt's date of birth;
- (d) the bankrupt's occupation;
- (e) any other name by which the bankrupt has been known;
- (f) any name or style (other than the bankrupt's own name) under which—
  - (i) the bankrupt carried on business; and
  - (ii) any debt owed to a creditor was incurred.

#### **12A.36 Omission of unobtainable information**

Information required under this Chapter to be included in a notice to be gazetted may be omitted if it is not reasonably practicable to obtain it.

#### **12A.37 The Gazette – general**

(1) A copy of the Gazette containing any notice required by the Act or the Rules to be gazetted is evidence of any facts stated in the notice.

(2) In the case of an order of the court notice of which is required by the Act or the Rules to be gazetted, a copy of the Gazette containing the notice may in any proceedings be produced as conclusive evidence that the order was made on the date specified in the notice.

(3) Where an order of the court which is gazetted has been varied, and where any matter has been erroneously or inaccurately gazetted, the person whose responsibility it was to procure the requisite entry in the Gazette must as soon as is reasonably practicable cause the variation of the order to be gazetted or a further entry to be made in the Gazette for the purpose of correcting the error or inaccuracy.