SIP 9(E&W) - Transitional Arrangements

The Joint Insolvency Committee ("JIC") recently consulted upon a revised SIP 9. The revised SIP caters for the new provisions contained in the Insolvency (Amendment) Rules 2015, which come into effect on 1 October 2015. The JIC has since considered all of the suggestions received and made a number of changes to the SIP. The final version of the SIP is now with the Recognised Professional Bodies and must go through their respective approval processes, prior to being issued.

The intention is to issue the SIP on or before 1 November 2015, with an effective date of 1 December 2015, at which time the existing SIP 9 will be withdrawn. During the interim period, Insolvency Practitioners should apply the principles of the current SIP to their work, as these remain ostensibly unchanged in the new SIP. It is acknowledged that there is no reference in the current SIP to providing estimates and IPs should refer to the new Rules and also to Dear IPs 65 and 68 which provide some additional comment on the application of the new Rules, should they need to issue an estimate of their fees in advance of the implementation of the new SIP.

The consultation process elicited a variety of opinions about the desirability, or otherwise, of continuing to provide a suggested format for the provision of information. The JIC considered it should give pre-eminence to the views expressed by major creditors and emphasise the importance of the narrative elements of an office holders’ reports and requests. The final version of the SIP will not, therefore, contain a suggested format.

30 September 2015