



The Insolvency Service

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Megan Lloyd

BY EMAIL ONLY TO:

request-657747-bfcc84d9@whatdotheyknow.com

Your ref:

Our ref: FOI20/21-002

e-mail: Insolvency.Technical@insolvency.gov.uk

Date: 28 April 2020

Dear Ms Lloyd

Re: Freedom of Information Act 2000

Thank you for your e-mail of 3 April in which you requested from the Insolvency Service:-

- Confirmation that the publicly available web version of the manual is up to date as of April 2020.
- If not, a copy of the most up to date version of the manual or at least those sections which have been updated since 2015.
- Confirmation when the publicly available version of the manual will be updated on the website.

Your request has been dealt with under the Freedom of Information Act 2000 (FOIA).

The Technical Manual is no longer being maintained and is to be archived. Publication of updated internal guidance for information purposes is under review and no publication date is yet available.

In response to your request I have attached copies of the current operational guidance for official receivers. Some numbered sections of the guidance are not currently available. All available sections have been included.

Operational guidance provided to official receivers is tailored specifically for internal use. It is discretionary and is not a statement of law. It is not intended for use by third parties, copies of the guidance are provided for information purposes only. In some circumstances it will be appropriate for the official receivers and their staff to deviate from the guidance.

The Insolvency Service provides [guidance](#) specifically designed for stakeholders over a range of subjects on GOV.UK.

Some text has been redacted since it is exempt information under section 43 of FOIA. Section 43(2) provides that information is exempt if its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

In order to apply this exemption, we have undertaken a public interest test and are satisfied that it is not appropriate to disclose this information. Doing so will, or is likely to, prejudice the commercial interests of either the Insolvency Service or its agents in future commercial negotiations.

If you are not satisfied with the response we have provided you and would like us to reconsider our decision by way of internal review, please contact our Information Rights Team at FOI@insolvency.gov.uk.

As a result of government instructions to stay at home we have changed the way we deliver our services. All our staff are working from home until further notice. While our offices are closed, we will not be able to process any physical mail sent.

You also have the right to contact the Information Commissioner's Office if you wish for them to investigate any complaint you may have in regards to our handling of your request. Please note the Information Commissioner is likely to expect an internal review to have been completed.

Kind regards,

Chief Executive's Technical Team
The Insolvency Service

The Department for Business, Energy and Industrial Strategy, Official Receivers and the Adjudicator are Data Controllers in respect of personal data processed by the Insolvency Service. For the details about how personal data is processed by the agency, please see the full Insolvency Service Personal Information Charter here:

<https://www.gov.uk/government/organisations/insolvency-service/about/personal-information-charter>

Summary of sections provided:

1. The Official Receiver – Permission, powers, duties and functions
2. Winding-up orders – Initial action
3. Bankruptcy orders – Initial action
4. Gazetting and advertising – Publishing insolvency information
5. The Individual Insolvency Register
6. Restrictions on bankrupts
7. HM Land Registry and protecting property interests

11. Inspections
12. Creditor action against the insolvent and their property
13. Retention of title
14. Insurance
16. Accounting and other records
17. Interviews and statements
19. Co-operation, non co-operation and enforcement of duty to co-operate
20. Public examinations
21. Private examinations
22. Obtaining, releasing and formal disclosure of information
23. Proceeds of Crime Act 2002 and Terrorism Act 2000
24. Exempt property and property not comprised in a bankrupt's estate
25. Assets – Identification, protection and realisation
26. Money owed to the insolvent
27. Motor vehicles
28. Freehold and leasehold property
29. Solely owned tenanted property
30. Jointly owned tenanted property
31. Antecedent recoveries – Preferences and transactions at an undervalue
32. Antecedent recoveries – Other antecedent recoveries
33. Monetary assets
34. Stock, work in progress, plant and machinery
35. Income payments agreements and income payments orders
36. Realisation of after-acquired property
37. Rights of action
38. Financial mis-selling
39. Intellectual property and other intangible assets
40. Sundry assets
42. Disclaimers
43. Creditors and liabilities
44. Decision making procedures
45. Appointment of liquidators and trustees
47. Discharge
48. Insolvency accounting/financial transactions
49. Distributions
50. Release of Official Receiver as liquidator or trustee
51. Official Receiver's role in voluntary arrangements
52. Partnerships
54. Dissolved companies
55. Second and subsequent bankruptcies
56. Deceased insolvents
57. Pensions
58. Employment law and insolvency
60. Debt relief orders
61. Third Parties (Rights Against Insurers) Act 2010