

6.78C Creditors' request for further information

- (1) If
 - (a) within the period mentioned in paragraph (2)
 - (i) a secured creditor, or
 - (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or
 - (b) with the permission of the court upon an application made within the period mentioned in paragraph (2), any unsecured creditor,makes a request in writing to the Trustee for further information about remuneration or expenses set out in a progress report under Rule 6.78A(1)(f) or (g) or in a draft report under Rule 6.78B the Trustee must, within 14 days of receipt of the request, comply with paragraph (3) except to the extent that the request is in respect of matter in a draft report under Rule 6.78B or a progress report required by Rule 6.126 which (in either case) was previously included in a progress report not required by Rule 6.126.
- (2) The period referred to in paragraph (1) (a) is--
 - (a) 7 business days of receipt of the progress report where it is required by Rule 6.126 and
 - (b) 21 days of receipt of the report or draft report in any other case.
- (3) The Trustee complies with this paragraph by either--
 - (a) providing all of the information asked for, or
 - (b) so far as the Trustee considers that--
 - (i) the time or cost of preparation of the information would be excessive, or
 - (ii) disclosure of the information would be prejudicial to the conduct of the bankruptcy or might reasonably be expected to lead to violence against any person, or
 - (iii) the Trustee is subject to an obligation of confidentiality in respect of the information, giving reasons for not providing all of the information.
- (4) Any creditor, who need not be the same as the creditor who asked for the information, may apply to the court within 21 days of--
 - (a) the giving by the Trustee of reasons for not providing all of the information asked for, or
 - (b) the expiry of the 14 days provided for in paragraph (1),and the court may make such order as it thinks just.
- (5) Without prejudice to the generality of paragraph (4), the order of the court under that paragraph may extend the period of 8 weeks or, as the case may be, 4 weeks provided for in Rule 6.142 (1B) by such further period as the court thinks just.
- (6) This Rule does not apply where the Trustee is the Official Receiver.