

REPUBLIC OF KENYA
OFFICE OF THE ATTORNEY GENERAL AND DEPARTMENT OF JUSTICE



CUSTOMER SERVICE DELIVERY CHARTER

Revised November 2018

BUSINESS REGISTRATION SERVICE

OFFICE OF THE OFFICIAL RECEIVER IN INSOLVENCY

Introduction

The Official Receiver in Insolvency deals with Licensing & Supervision of Insolvency Practitioners, administration & supervision of Bankruptcy of Natural persons & Administration and Liquidation of Companies. The office carries out the functions under the **Insolvency Act, No. 18 of 2015** and Bankruptcy Act (Cap 53 Laws of Kenya (repealed)) and Companies Act (Cap 486 Laws of Kenya (repealed)) respectively.

(INSOLVENCY SERVICES AND PROCESSES)

	SERVICES OFFERED.	REQUIREMENTS	CHARGES (KSHS)	TIME LINE.
1.	Issuance of Compliance Certificate for Debtor's Petition in Bankruptcy	<ul style="list-style-type: none">• FORM NO. 9• FORM NO. 10• FORM NO. 11• FORM NO. 8	30,000	1 Day

2.	Issuance of Compliance Certificate for Creditor's Petition in Bankruptcy	<ul style="list-style-type: none"> • FORM NO. 3 • FORM NO. 4 • FORM NO. 5 • FORM NO. 9 • FORM NO. 6 	50,000	1 Day
3.	Gazettement of Order appointing the Official Receiver (From the petitioner or the Deputy Registrar of the Court that made the order)	<ul style="list-style-type: none"> • FORM NO. 13 • FORM NO. 14 	Paid from the amount deposited according to the printer's rates.	Gazette within 30 days after issuance
		<ul style="list-style-type: none"> • FORM NO. 32G • FORM NO. 32F 		
		<ul style="list-style-type: none"> • FORM NO. 37 • FORM NO. 35 		
4.	Holding 1 st Creditors Meetings.	<ul style="list-style-type: none"> • Debtor's presence is mandatory 	Nil	Within 30 days after issuance of Bankruptcy order.
		<ul style="list-style-type: none"> • Creditors to File Proof of Debt Forms. 	500	
5.	Public Examination.	<ul style="list-style-type: none"> • Attendance of debtor and creditors in court. 	Nil	Determined by the Court.
6.	Supervising Bankrupt/No Asset Procedure/Summary Installment orders.	<ul style="list-style-type: none"> • The applicants are expected to fully comply with the insolvency Act • FORM NO. 20 	Nil	Every 3 Months.
7.	Application for Insolvency Practitioners	<ul style="list-style-type: none"> • Applicants to fill FORM NO. 1 and supply all the requisite documents. 	50,000	5 days
8.	Supervising the Bankrupt.	<ul style="list-style-type: none"> • The Debtor/Bankrupt reports to Official Receiver after every three months. 	Fees as per remuneration order after discharge	Within every Three Months.

9.	Gazettement of Insolvency Practitioners	<ul style="list-style-type: none"> • The Official Receiver will keep updating the register 	As per the printer's rate	Annual
10.	Perusal of file	<ul style="list-style-type: none"> • The customer to provide an official request. 	200 per file	1 day
11.	Inspection of Documents	<ul style="list-style-type: none"> • The customer to provide an official request 	200 per file	1 day
12.	Request for certified copies (The customer to provide an Official request)	<ul style="list-style-type: none"> • Public register of Bankrupts / No Asset Procedure / Summary Instalment Order 	1,000	1 day
		<ul style="list-style-type: none"> • Other documents 	500 per page	
13.	Application for admission to the No asset procedure	<ul style="list-style-type: none"> • FORM NO. 12 • FORM NO. 28 • FORM NO. 9 	15,000	Subject to creditors objection
14.	Application summary Installment orders	<ul style="list-style-type: none"> • FORM NO. 24 • FORM NO. 9 • FORM NO. 12 	20,000	Subject to creditors objection
15.	Application for list of Insolvency practitioners	<ul style="list-style-type: none"> • Official Request by clients. 	500	1 day
16.	Application for Individual Voluntary Arrangement of natural persons	<ul style="list-style-type: none"> • FORM NO. 8 • FORM NO.10 (amended) • FORM NO. 11 • FORM NO. 23A • Debtor's proposal 	30,000	Subject to approval by creditors

17.	Appointment of a Liquidator by Court	Official Receiver	<ul style="list-style-type: none"> • FORM NO. 32G • FORM NO. 32F • FORM NO. 32 		Subject to co-operation of parties
		Insolvency Practitioner	<ul style="list-style-type: none"> • FORM NO. 32G • FORM NO. 32F 	10,000	
18.	Application for Administration through Court		<ul style="list-style-type: none"> • FORM NO. 32 • FORM NO. 32D • FORM NO. 36 	40,000	1 hour
19.	Appointment of an administrator	Official Receiver	<ul style="list-style-type: none"> • FORM NO. 35 • FORM NO. 36 • FORM NO. 37 		Within 1 year of appointment
		Insolvency Practitioner		10,000	1 day
20.	Application for Members Voluntary Liquidation		<ul style="list-style-type: none"> • FORM NO. 32A • FORM NO. 32B • FORM NO. 32 	Based on the value of subject matter. On the first Kshs. 1,000,000/= pay Kshs. 100,000/= 10% on the balance thereafter.	Within 1 year of appointment
21.	Application for Creditors Voluntary Liquidation		<ul style="list-style-type: none"> • FORM NO. 32A • FORM NO. 32B 	Based on the value of subject matter. On the first Kshs. 1,000,000/= pay Kshs. 150,000/= 10% on the balance thereafter.	

22.	Application for Company Voluntary Arrangement		<ul style="list-style-type: none"> • FORM NO. 32 • FORM NO. 32C (amended) • FORM NO. 32D • Directors' proposal 	40,000	Subject to approval by creditors
23.	Filing of an appointment of a proxy		<ul style="list-style-type: none"> • FORM NO. 17 	1,000	1 day
24.	Appointment of an Insolvency Practitioner as liquidator under Voluntary Liquidation	Members Voluntary Liquidation	<ul style="list-style-type: none"> • FORM NO. 32 • FORM NO. 32A • FORM NO. 32B 	10,000	1 day
		Creditors' Voluntary Liquidation	<ul style="list-style-type: none"> • Notice of Creditors' meeting. • Minutes of the meeting. • Resolution for liquidation 		
25.	Issuance of a Certificate of Compliance for a Liquidation Petition	Member's petition (director & shareholders)	<ul style="list-style-type: none"> • FORM NO. 32C • FORM NO. 32D • FORM NO. 32 	40,000	1 day
		Creditor's petition	<ul style="list-style-type: none"> • FORM NO. 32C • FORM NO. 32D • FORM NO. 32E 		
26.	Objections	No Asset Procedure	<ul style="list-style-type: none"> • Reply to Official Receiver's notice to creditors. 	Nil	1 day
		Summary Instalment Order	<ul style="list-style-type: none"> • FORM NO. 25 	4,000	
27.	Requesting for and Receiving the statements of affairs		<ul style="list-style-type: none"> • Filled statements of financial position 	2000	14 days after the order

28.	Declaration of the dividends		<ul style="list-style-type: none"> • Proof of debt forms. • Official receiver's calculated accounts. (FORM NO. 32J, 32K) 	Nil	Determined by the court
29.	Application for release of the official receiver.	Bankruptcy Trustee	<ul style="list-style-type: none"> • FORM NO. 16 • FORM NO. 15 • FORM NO. 21 • FORM NO. 22 • FORM NO. 22A 	Nil	Determined by the Court.
		Liquidator	<ul style="list-style-type: none"> • FORM NO. 32L • FORM NO. 32K • FORM NO. 32H • FORM NO. 33 • FORM NO. 34 		

In case the services do not conform to the standards above direct your complaints or queries to The Customer Care Help Desks within our offices, Head of Section or Head of Stations. In case you are not satisfied you can contact the Ag. Official Receiver or email us at contact@brs.go.ke or visit our website at www.brs.go.ke .

Our contact: Sheria House, Harambee Avenue, P.O Box 30031-00100 Nairobi, Telephone: 2227461/9 (Extension: 671)