

Divorcing a bankrupt, Part II: where insolvency law meets financial remedies

An update for Family Law Week

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Barristers

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Henry Clayton of 4 Paper Buildings outlines the consequences where a party to financial remedy proceedings becomes bankrupt after the making of a final order.

This is the sequel to my article “**Divorcing a bankrupt: where insolvency law meets ancillary relief**” published by Family Law Week. That article focused on what happens where a party becomes bankrupt during proceedings and covered the following:

- How bankruptcy works;
- What financial remedies can be ordered against a bankrupt;
- Grounds for setting aside a bankruptcy order.

This article addresses what happens if the party who is to pay money or transfer property becomes bankrupt after the making of a final order. It will cover:

- Bankruptcy between final order and implementation;
- Applications by the trustee in bankruptcy to set aside the final ancillary relief order;
- The impact on deferred interests in property of a bankruptcy arising subsequent to an ancillary relief order

To read the full article [click here](#)

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Source

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