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DRAFT STATUTORY INSTRUMENTS

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**2017 No.**

The Deregulation Act 2015, the Small Business,  
Enterprise and Employment Act 2015 and the Insolvency  
(Amendment) Act (Northern Ireland) 2016 (Consequential  
Amendments and Transitional Provisions) Regulations 2017

PART 2

Amendments of primary legislation

**The Friendly Societies Act 1992**

**3.** In Schedule 10 to the Friendly Societies Act 1992(1) (application of companies winding up legislation to incorporated friendly societies), in Part 2 (modified application of Insolvency Act 1986 Parts 4 and 12)—

- (a) in the heading for “and XII” substitute “, 12 and 13”; and
- (b) after paragraph 36 insert—

*“Insolvency practitioners: their qualification and regulation*

**36A.** Section 390 of the Act (persons not qualified to act as insolvency practitioners) has effect as if for subsection (2) there were substituted—

“(2) A person is not qualified to act as an insolvency practitioner in relation to an incorporated friendly society at any time unless at that time the person is fully authorised to act as an insolvency practitioner or partially authorised to act as an insolvency practitioner only in relation to companies.”.

**36B.—**(1) In the following provisions of the Act, in a reference to authorisation or permission to act as an insolvency practitioner in relation to (or only in relation to) companies the reference to companies has effect without the modification in paragraph 3(1)(a) above—

- (a) sections 390A and 390B(1) and (3) (authorisation of insolvency practitioners); and
- (b) sections 391O(1)(b) and 391R(3)(b) (court sanction of insolvency practitioners in public interest cases).

(2) In sections 391Q(2)(b) (direct sanctions order: conditions) and 391S(3)(e) (power for Secretary of State to obtain information) of the Act the reference to a company has effect without the modification in paragraph 3(1)(a) above.”.

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**Draft Legislation:** *This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The Deregulation Act 2015, the Small Business, Enterprise and Employment Act 2015 and the Insolvency (Amendment) Act (Northern Ireland) 2016 (Consequential Amendments and Transitional Provisions) Regulations 2017 No. 400*

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