



# Insolvency Act 1985

## 1985 CHAPTER 65

An Act to make provision with respect to the insolvency of companies and individuals, the winding up of companies, the disqualification and personal liability of persons involved in the management of companies and the avoidance of certain transactions at an undervalue; and for connected purposes. [30th October 1985]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### Commencement Information

**II** Act not in force at Royal Assent see [s.236\(2\)](#); Act wholly in force at 29.12.1986.

### PART I

1—11. .... <sup>F1</sup>

### Textual Amendments

**F1** Ss. 1–11, 15, 17, 19–107, 108(1)(3)–(7), 109–212, 216, 221–234, 235(2)–(5), 236(3)–(5) repealed by Insolvency Act 1986 (c. 45, SIF 66), s. 438, [Sch. 12](#)

### PART II

12— ..... <sup>F2</sup>  
14.

*Status: Point in time view as at 01/10/2009.*  
*Changes to legislation: There are currently no known outstanding effects for the Insolvency Act 1985. (See end of Document for details)*

**Textual Amendments**

**F2** Ss. 12–14, 16, 18, 108(2) repealed by [Company Directors Disqualification Act 1986 \(c. 46, SIF 27\)](#), s. 23(2), [Sch. 4](#)

**15** ..... **F3**

**Textual Amendments**

**F3** Ss. 1–11, 15, 17, 19–107, 108(1)(3)–(7), 109–212, 216, 221–234, 235(2)–(5), 236(3)–(5) repealed by [Insolvency Act 1986 \(c. 45, SIF 66\)](#), s. 438, [Sch. 12](#)

**16** ..... **F4**

**Textual Amendments**

**F4** Ss. 12–14, 16, 18, 108(2) repealed by [Company Directors Disqualification Act 1986 \(c. 46, SIF 27\)](#), s. 23(2), [Sch. 4](#)

**17** ..... **F5**

**Textual Amendments**

**F5** Ss. 1–11, 15, 17, 19–107, 108(1)(3)–(7), 109–212, 216, 221–234, 235(2)–(5), 236(3)–(5) repealed by [Insolvency Act 1986 \(c. 45, SIF 66\)](#), s. 438, [Sch. 12](#)

**18** ..... **F6**

**Textual Amendments**

**F6** Ss. 12–14, 16, 18, 108(2) repealed by [Company Directors Disqualification Act 1986 \(c. 46, SIF 27\)](#), s. 23(2), [Sch. 4](#)

**19—** ..... **F7**  
**107.**

**Textual Amendments**

**F7** Ss. 1–11, 15, 17, 19–107, 108(1)(3)–(7), 109–212, 216, 221–234, 235(2)–(5), 236(3)–(5) repealed by [Insolvency Act 1986 \(c. 45, SIF 66\)](#), s. 438, [Sch. 12](#)

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Insolvency Act 1985. (See end of Document for details)*

**108** (1) ..... F8  
(2) ..... F9  
(3) ..... F8

**Textual Amendments**

- F8** Ss. 1–11, 15, 17, 19–107, 108(1)(3)–(7), 109–212, 216, 221–234, 235(2)–(5), 236(3)–(5) repealed by Insolvency Act 1986 (c. 45, SIF 66), s. 438, **Sch. 12**
- F9** Ss. 12–14, 16, 18, 108(2) repealed by Company Directors Disqualification Act 1986 (c. 46, SIF 27), s. 23(2), **Sch. 4**

**109** ..... F10

**Textual Amendments**

- F10** Ss. 1–11, 15, 17, 19–107, 108(1)(3)–(7), 109–212, 216, 221–234, 235(2)–(5), 236(3)–(5) repealed by Insolvency Act 1986 (c. 45, SIF 66), s. 438, **Sch. 12**

**PART III**

**110**— ..... F11  
**211.**

**Textual Amendments**

- F11** Ss. 1–11, 15, 17, 19–107, 108(1)(3)–(7), 109–212, 216, 221–234, 235(2)–(5), 236(3)–(5) repealed by Insolvency Act 1986 (c. 45, SIF 66), s. 438, **Sch. 12**

**PART IV**

MISCELLANEOUS AND SUPPLEMENTAL

*Miscellaneous*

**212** ..... F12

**Textual Amendments**

- F12** Ss. 1–11, 15, 17, 19–107, 108(1)(3)–(7), 109–212, 216, 221–234, 235(2)–(5), 236(3)–(5) repealed by Insolvency Act 1986 (c. 45, SIF 66), s. 438, **Sch. 12**

*Status: Point in time view as at 01/10/2009.*

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**[<sup>F13</sup>213 Co-operation between courts exercising jurisdiction in relation to insolvency law.**

- (1) An order made by a court in any part of the United Kingdom in the exercise of jurisdiction in relation to insolvency law shall be enforced in any other part of the United Kingdom as if it were made by a court exercising the corresponding jurisdiction in that other part ; but, without prejudice to the following provisions of this section, nothing in this subsection shall require a court in any part of the United Kingdom to enforce, in relation to property situated in that part, any order made by a court in any other part of the United Kingdom.
- (2) The Secretary of State, with the concurrence in relation to property situated in England and Wales of the Lord Chancellor, may by order make provision for securing that a trustee or assignee under the insolvency law of any part of the United Kingdom has, with such modifications as may be specified in the order, the same rights in relation to any property situated in another part of the United Kingdom as he would have in the corresponding circumstances if he were a trustee or assignee circumstances under the insolvency law of that other part.
- (3) The courts having jurisdiction in relation to insolvency law in any part of the United Kingdom shall assist the courts having the corresponding jurisdiction in any other part of the United Kingdom or any relevant country or territory.
- (4) For the purposes of subsection (3) above a request made to a court in any part of the United Kingdom by a court in any other part of the United Kingdom or in a relevant country or territory shall be authority for the court to which the request is made to apply, in relation to any matters specified in the request, the insolvency law which is applicable by either court in relation to comparable matters falling within its jurisdiction ; and in exercising its discretion under this subsection, a court shall have regard in particular to the rules of private international law.
- (5) Where a person who is a trustee or assignee under the insolvency law of any part of the United Kingdom claims property situated in any other part of the United Kingdom (whether by virtue of an order under subsection (2) above or otherwise), the submission of that claim to the court exercising jurisdiction in relation to insolvency law in that other part shall be treated in the same manner as a request made by a court for the purposes of subsection (3) above.
- (6) Section 38 of the <sup>M1</sup>Criminal Law Act 1977 (execution of warrant of arrest throughout the United Kingdom) shall apply to a warrant which, in exercise of any jurisdiction in relation to insolvency law, is issued in any part of the United Kingdom for the arrest of a person as it applies to a warrant issued in that part of the United Kingdom for the arrest of a person charged with an offence.
- (7) Without prejudice to any power to make rules of court, any power to make provision by subordinate legislation for the purpose of giving effect in relation to companies or individuals to the insolvency law of any part of the United Kingdom shall include power to make provision for the purpose of giving effect in that part to any provision made by or under the preceding provisions of this section.
- (8) An order under subsection (2) above shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.
- (9) In this section “insolvency law” means—
  - (a) in relation to England and Wales, provision extending to England and Wales and made by or under this Act or Parts XIX to XXI of the 1985 Act;

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- (b) in relation to Scotland, provision extending to Scotland and made by or under this Act, Parts XVIII to XXI of the 1985 Act or the <sup>M2</sup>Bankruptcy (Scotland) Act 1985;
- (c) in relation to Northern Ireland, provision made by or under the Bankruptcy Acts (Northern Ireland) 1857 to 1980, Part V, VI or IX of the <sup>M3</sup>Companies Act (Northern Ireland) 1960 or Part IV of the <sup>M4</sup>Companies (Northern Ireland) Order 1978;
- (d) in relation to any relevant country or territory, so much of the law of that country or territory as corresponds to provisions falling within any of the foregoing paragraphs;

and references in this subsection to any enactment include, in relation to any time before the coming into force of that enactment, references to the corresponding enactment in force at that time.

- (10) In this section “relevant country or territory” means—
- (a) any of the Channel Islands or the Isle of Man; or
  - (b) any country or territory designated for the purposes of this section by the Secretary of State by order made by statutory instrument.]

#### Textual Amendments

**F13** Ss. 213, 214, 217(1)-(3) repealed (E.W.S.) by *Insolvency Act 1986* (c. 45, SIF 66), s. 438, **Sch. 12**

#### Marginal Citations

**M1** 1977 c. 45  
**M2** 1985 c. 66  
**M3** 1960 c. 22 (N.I.)  
**M4** S.I. 1978/1042 (N.I. 12)

### [<sup>F14</sup>214 Parliamentary disqualification etc.

- (1) Where a court in England and Wales or Northern Ireland adjudges an individual bankrupt or a court in Scotland awards sequestration of an individual’s estate, the individual shall be disqualified—
- (a) for sitting or voting in the House of Lords
  - (b) for being elected to, or sitting or voting in, the House of Commons; and
  - (c) for sitting or voting in a committee of either House.
- (2) Where an individual is disqualified under this section, the disqualification shall cease—
- (a) except where the adjudication is annulled or the award recalled or reduced without the individual having been first discharged, on the discharge of the individual; and
  - (b) in the said excepted case, on the annulment, recall or reduction, as the case may be.
- (3) No writ of summons shall be issued to any lord of Parliament who is for the time being disqualified under this section for sitting and voting in the House of Lords.

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- (4) Where a member of the House of Commons who is disqualified under this section continues to be so disqualified until the end of the period of six months beginning with the day of the adjudication or award, his seat shall be vacated at the end of that period.
- (5) A court which makes an adjudication or award such as is mentioned in subsection (1) above in relation to any lord of Parliament or member of the House of Commons shall forthwith certify the adjudication or award to the Speaker of the House of Lords or, as the case may be, to the Speaker of the House of Commons.
- (6) Where a court has certified an adjudication or award to the Speaker of the House of Commons under subsection (5) above, then, immediately after it becomes apparent which of the following certificates is applicable, the court shall certify to the Speaker of the House of Commons—
  - (a) that the period of six months beginning with the day of the adjudication or award has expired without the adjudication or award having been annulled, recalled or reduced; or
  - (b) that the adjudication or award has been annulled, recalled or reduced before the end of that period.
- (7) Subject to the preceding provisions of this section, so much of this Act and of any other enactment (whenever passed) and of any subordinate legislation (whenever made) as—
  - (a) makes provision for or in connection with bankruptcy in one or more parts of the United Kingdom; or
  - (b) makes provision conferring a power of arrest in connection with the winding up or insolvency of companies in one or more parts of the United Kingdom,
 shall apply in relation to persons having privilege of Parliament or peerage as it applies in relation to persons not having such privilege.]

**Textual Amendments**  
**F14** Ss. 213, 214, 217(1)-(3) repealed (E.W.S.) by [Insolvency Act 1986 \(c. 45, SIF 66\)](#), s. 438, [Sch. 12](#)

215 ..... F15

**Textual Amendments**  
**F15** S. 215 repealed by [Land Registration Act 1988 \(c. 3, SIF 98:2\)](#), s. 2, [Sch.](#)

216 ..... F16

**Textual Amendments**  
**F16** Ss. 1-11, 15, 17, 19-107, 108(1)(3)-(7), 109-212, 216, 221-234, 235(2)-(5), 236(3)-(5) repealed by [Insolvency Act 1986 \(c. 45, SIF 66\)](#), s. 438, [Sch. 12](#)

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## 217 Amendments of Restrictive Trade Practices Act 1976.

[<sup>F17</sup>(1) No restriction in respect of any of the matters specified in subsection (2) below shall, after the coming into force of this section, be regarded as a restriction by virtue of which the <sup>M5</sup>Restrictive Trade Practices Act 1976 applies to any agreement (whenever made).

(2) The said matters are—

- (a) the charges to be made, quoted or paid for insolvency services supplied, offered or obtained;
- (b) the terms or conditions on or subject to which insolvency services are to be supplied or obtained;
- (c) the extent (if any) to which, or the scale (if any) on which, insolvency services are to be made available, supplied or obtained;
- (d) the form or manner in which insolvency services are to be made available, supplied or obtained;
- (e) the persons or classes of persons for whom or from whom, or the areas or places in or from which, insolvency services are to be made available or supplied or are to be obtained.

(3) In this section “insolvency services” means the services of persons acting as insolvency practitioners or carrying out under the law of Northern Ireland functions corresponding to those mentioned in section 1(2) or (3) above, in their capacity as such; and expressions which are also used in the said Act of 1976 have the same meanings as in that Act.]

(4) In Schedule 1 to the said Act of 1976 (services excluded from designated services), after paragraph 9 there shall be inserted the following paragraph—

“9A Insolvency services within the meaning of section 217 of the Insolvency Act 1985.”

### Textual Amendments

**F17** Ss. 213, 214, 217(1)–(3) repealed (E.W.S.) by [Insolvency Act 1986 \(c. 45, SIF 66\)](#), s. 438, [Sch. 12](#)

### Marginal Citations

**M5** [1976 c. 34](#)

<sup>F18</sup>**218** .....

### Textual Amendments

**F18** [S. 218](#) repealed (22.8.1996) by [1996 c. 18, ss. 242, 243](#), [Sch. 3 Pt. I](#) (with [ss. 191-195, 202](#))

<sup>F19</sup>**219** Amendments of Banking Act 1979.

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*Status: Point in time view as at 01/10/2009.*

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**Textual Amendments**

**F19** S. 219 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 17 Group 6

**220 Amendments of County Courts Act 1984.**

- (1) The <sup>M6</sup>County Courts Act 1984 shall be amended as follows.
- (2) In section 112(4)(b) (minimum amount which must be owed to creditor presenting, or joining in, a bankruptcy petition while administration order is in force), for “£400” there shall be substituted “£1500”.
- (3) In subsection (1) of section 115 (execution while administration order is in force if debtor’s property exceeds £10 in value), for “£10” there shall be substituted the words “the minimum amount”.
- (4) After subsection (1) of the said section 115 there shall be inserted the following subsection—

“(1A) In subsection (1) above “the minimum amount” means £50 or such other amount as the Lord Chancellor may by order specify instead of that amount or the amount for the time being specified in such an order; and an order under this subsection shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.”

**Marginal Citations**

**M6** 1984 c. 28.

**221** ..... **F20**

**Textual Amendments**

**F20** Ss. 1–11, 15, 17, 19–107, 108(1)(3)–(7), 109–212, 216, 221–234, 235(2)–(5), 236(3)–(5) repealed by Insolvency Act 1986 (c. 45, SIF 66), s. 438, Sch. 12

**222**— ..... **F21**  
**229.**

**Textual Amendments**

**F21** Ss. 1–11, 15, 17, 19–107, 108(1)(3)–(7), 109–212, 216, 221–234, 235(2)–(5), 236(3)–(5) repealed by Insolvency Act 1986 (c. 45, SIF 66), s. 438, Sch. 12

*Other supplemental provisions*

**230**— ..... **F22**  
**234.**



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**Textual Amendments**

**F22** Ss. 1–11, 15, 17, 19–107, 108(1)(3)–(7), 109–212, 216, 221–234, 235(2)–(5), 236(3)–(5) repealed by Insolvency Act 1986 (c. 45, SIF 66), s. 438, **Sch. 12**

**235 Consequential amendments, transitional provisions, savings and repeals.**

(1) The enactments mentioned in Schedule 8 to this Act shall have effect with the amendments there specified (being amendments consequential on the provisions of this Act).

(2) ..... **F23**

**Textual Amendments**

**F23** Ss. 1–11, 15, 17, 19–107, 108(1)(3)–(7), 109–212, 216, 221–234, 235(2)–(5), 236(3)–(5) repealed by Insolvency Act 1986 (c. 45, SIF 66), s. 438, **Sch. 12**

**236 Short title, commencement and extent.**

(1) This Act may be cited as the Insolvency Act 1985.

**F24**(2) .....

(3) ..... **F25**

**Subordinate Legislation Made**

**P1** Power of appointment conferred by s. 236(2) exercised: [S.I. 1986/6](#), 185, 463, 840 and 1924

**Textual Amendments**

**F24** [S. 236\(2\)](#) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004](#) (c. 14), **Sch. 1 Pt. 17** Group 6

**F25** Ss. 1–11, 15, 17, 19–107, 108(1)(3)–(7), 109–212, 216, 221–234, 235(2)–(5), 236(3)–(5) repealed by Insolvency Act 1986 (c. 45, SIF 66), s. 438, **Sch. 12**

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## SCHEDULES

### SCHEDULE 1

Section 8.

#### INSOLVENCY PRACTITIONERS TRIBUNAL

1—4. . . . . <sup>F26</sup>

#### **Textual Amendments**

**F26** Sch. 1 paras. 1–4, 5(4), Schs. 3–5, Sch. 6 paras. 5, 6, 9, 15–17, 20–22, 25–44, 48–52, Sch. 7, Sch. 9 paras. 1, 4–24, Sch. 10 repealed by *Insolvency Act 1986 (c. 45, SIF 66)*, s. 438, **Sch. 12**

#### *Supervision by Council on Tribunals*

<sup>F27</sup>5 . . . . .

#### **Textual Amendments**

**F27** Sch. 1 para. 5 repealed (1.10.1992) by *Tribunals and Inquiries Act 1992 (c. 53)*, ss. 18(2), 19(2), **Sch. 4 Pt.I.**

#### *Parliamentary disqualification*

6 (1) In Part III of Schedule 1 to the <sup>M7</sup>House of Commons Disqualification Act 1975 (disqualifying offices), there shall be inserted at the appropriate place the following entry—

“Any member of the Insolvency Practitioners Tribunal in receipt of remuneration.”

(2) A corresponding amendment shall be made in Part III of Schedule 1 to the <sup>M8</sup>Northern Ireland Assembly Disqualification Act 1975.

#### **Marginal Citations**

**M7** 1975 c. 24.  
**M8** 1975 c. 25.

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SCHEDULE 2

. . . F28

**Textual Amendments**

**F28** Sch. 2, Sch. 6 paras. 1, 2, 14, Sch. 9 paras. 2, 3 repealed by [Company Directors Disqualification Act 1986](#) (c. 46, SIF 27), s. 23(2), **Sch. 4**

SCHEDULES 3—5

. . . F29

**Textual Amendments**

**F29** Sch. 1 paras. 1–4, 5(4), Schs. 3–5, Sch. 6 paras. 5, 6, 9, 15–17, 20–22, 25–44, 48–52, Sch. 7, Sch. 9 paras. 1, 4–24, Sch. 10 repealed by [Insolvency Act 1986](#) (c. 45, SIF 66), s. 438, **Sch. 12**

<sup>F30</sup>SCHEDULE 6

Section 109.

AMENDMENTS OF 1985 ACT

**Textual Amendments**

**F30** Sch. 6 repealed (6.4.2008 for the repeal of Sch. 6 paras. 11, 12 and further repealed 1.10.2009) by [Companies Act 2006](#) (c. 46), s. 1300(2), **Sch. 16**; S.I. 2007/3495, art. 8(a), Sch. 2 Pt. 1 (with arts. 712); S.I. 2008/2860, art. 4, Sch. 1 Pt. 1 (with arts. 78Sch. 2) (which transitional provisions in Sch. 2 are amended (1.10.2009) by S.I. 2009/2476, arts. 1(3), 2(3)(4) and by S.I. 2009/1802, arts. 1, 18, Sch.)

*Disqualification etc.*

1, 2. . . . . F31

**Textual Amendments**

**F31** Sch. 2, Sch. 6 paras. 1, 2, 14, Sch. 9 paras. 2, 3 repealed by [Company Directors Disqualification Act 1986](#) (c. 46, SIF 27), s. 23(2), **Sch. 4**

<sup>F32</sup>3 . . . . .

*Status: Point in time view as at 01/10/2009.*

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**Textual Amendments**

**F32** Sch. 6 para. 3 repealed (1.10.2009) by [Companies Act 2006 \(c. 46\)](#), s. 1300(2), **Sch. 16**; [S.I. 2008/2860](#), art. 4, **Sch. 1 Pt. 1** (with arts. 78**Sch. 2**) (which transitional provisions in Sch. 2 are amended (1.10.2009) by [S.I. 2009/2476](#), arts. 1(3), 2(3)(4) and by [S.I. 2009/1802](#), arts. 1, 18, Sch.)

**F33** 4 .....

**Textual Amendments**

**F33** Sch. 6 para. 4 repealed (6.4.2005) by [Companies \(Audit, Investigations and Community Enterprise\) Act 2004 \(c. 27\)](#), s. 65(1), **Sch. 8**; [S.I. 2004/3322](#), art. 2(2), **Sch. 2**

5, 6. .... **F34**

**Textual Amendments**

**F34** Sch. 1 paras. 1–4, 5(4), Schs. 3–5, Sch. 6 paras. 5, 6, 9, 15–17, 20–22, 25–44, 48–52, Sch. 7, Sch. 9 paras. 1, 4–24, Sch. 10 repealed by [Insolvency Act 1986 \(c. 45, SIF 66\)](#), s. 438, **Sch. 12**

7 .....

**Textual Amendments**

**F35** Sch. 6 para. 7 repealed by [Company Directors Disqualification Act 1986 \(c. 46, SIF 27\)](#), s. 23(2), **Sch. 4** and also expressed to be repealed in part (subject to the transitional and saving provisions mentioned in [S.I. 1990/355](#), art. 5) by [Companies Act 1989 \(c. 40, SIF 27\)](#), ss. 212, 213(2), **Sch. 24**

*Voluntary arrangements*

**F36** 8 .....

**Textual Amendments**

**F36** Sch. 6 para. 8 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 17** Group 6

*Administration orders*

9 .....

**Textual Amendments**

**F37** Sch. 1 paras. 1–4, 5(4), Schs. 3–5, Sch. 6 paras. 5, 6, 9, 15–17, 20–22, 25–44, 48–52, Sch. 7, Sch. 9 paras. 1, 4–24, Sch. 10 repealed by [Insolvency Act 1986 \(c. 45, SIF 66\)](#), s. 438, **Sch. 12**

**F38** 10 .....

*Status: Point in time view as at 01/10/2009.*

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**Textual Amendments**

**F38** Sch. 6 para. 10 repealed (1.10.2009) by [Companies Act 2006 \(c. 46\)](#), s. 1300(2), [Sch. 16](#); [S.I. 2008/2860](#), art. 4, [Sch. 1 Pt. 1](#) (with [arts. 78Sch. 2](#)) (which transitional provisions in Sch. 2 are amended (1.10.2009) by [S.I. 2009/2476](#), arts. 1(3), 2(3)(4) and by [S.I. 2009/1802](#), arts. 1, 18, Sch.)

<sup>F30</sup>11 .....

<sup>F30</sup>12 .....

<sup>F39</sup>13 .....

**Textual Amendments**

**F39** Sch. 6 para. 13 repealed (1.10.2009) by [Companies Act 2006 \(c. 46\)](#), s. 1300(2), [Sch. 16](#); [S.I. 2008/2860](#), art. 4, [Sch. 1 Pt. 1](#) (with [arts. 78Sch. 2](#)) (which transitional provisions in Sch. 2 are amended (1.10.2009) by [S.I. 2009/2476](#), arts. 1(3), 2(3)(4) and by [S.I. 2009/1802](#), arts. 1, 18, Sch.)

14 ..... <sup>F40</sup>

**Textual Amendments**

**F40** Sch. 2, Sch. 6 paras. 1, 2, 14, Sch. 9 paras. 2, 3 repealed by [Company Directors Disqualification Act 1986 \(c. 46, SIF 27\)](#), s. 23(2), [Sch. 4](#)

15—17. .... <sup>F41</sup>

**Textual Amendments**

**F41** Sch. 1 paras. 1–4, 5(4), Schs. 3–5, Sch. 6 paras. 5, 6, 9, 15–17, 20–22, 25–44, 48–52, Sch. 7, Sch. 9 paras. 1, 4–24, Sch. 10 repealed by [Insolvency Act 1986 \(c. 45, SIF 66\)](#), s. 438, [Sch. 12](#)

*Receivers (Scotland)*

<sup>F42</sup>18 .....

**Textual Amendments**

**F42** Sch. 6 para. 18 repealed (1.10.2009) by [Companies Act 2006 \(c. 46\)](#), s. 1300(2), [Sch. 16](#); [S.I. 2008/2860](#), art. 4, [Sch. 1 Pt. 1](#) (with [arts. 78Sch. 2](#)) (which transitional provisions in Sch. 2 are amended (1.10.2009) by [S.I. 2009/2476](#), arts. 1(3), 2(3)(4) and by [S.I. 2009/1802](#), arts. 1, 18, Sch.)  
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<sup>F43</sup>19 .....

*Status: Point in time view as at 01/10/2009.*  
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**Textual Amendments**  
**F43** Sch. 6 para. 19 repealed (1.10.2009) by [Companies Act 2006 \(c. 46\)](#), s. 1300(2), **Sch. 16**; [S.I. 2008/2860](#), art. 4, **Sch. 1 Pt. 1** (with arts. 78**Sch. 2**) (which transitional provisions in Sch. 2 are amended (1.10.2009) by [S.I. 2009/2476](#), arts. 1(3), 2(3)(4) and by [S.I. 2009/1802](#), arts. 1, 18, Sch.)

20—22. . . . . **F44**

**Textual Amendments**  
**F44** Sch. 1 paras. 1–4, 5(4), Schs. 3–5, Sch. 6 paras. 5, 6, 9, 15–17, 20–22, 25–44, 48–52, Sch. 7, Sch. 9 paras. 1, 4–24, Sch. 10 repealed by [Insolvency Act 1986 \(c. 45, SIF 66\)](#), s. 438, **Sch. 12**

*Winding up*

23 . . . . . **F45**

**Textual Amendments**  
**F45** Sch. 6 paras. 23, 45 repealed by [Companies Act 1989 \(c. 40, SIF 27\)](#), **ss. 212, 213(2)** Sch. 24

<sup>F46</sup>24 . . . . .

**Textual Amendments**  
**F46** Sch. 6 para. 24 repealed (1.10.2009) by [Companies Act 2006 \(c. 46\)](#), s. 1300(2), **Sch. 16**; [S.I. 2008/2860](#), art. 4, **Sch. 1 Pt. 1** (with arts. 78**Sch. 2**) (which transitional provisions in Sch. 2 are amended (1.10.2009) by [S.I. 2009/2476](#), arts. 1(3), 2(3)(4) and by [S.I. 2009/1802](#), arts. 1, 18, Sch.)  
 Text here

25—44. . . . . **F47**

**Textual Amendments**  
**F47** Sch. 1 paras. 1–4, 5(4), Schs. 3–5, Sch. 6 paras. 5, 6, 9, 15–17, 20–22, 25–44, 48–52, Sch. 7, Sch. 9 paras. 1, 4–24, Sch. 10 repealed by [Insolvency Act 1986 \(c. 45, SIF 66\)](#), s. 438, **Sch. 12**

45 . . . . . **F48**

**Textual Amendments**  
**F48** Sch. 6 paras. 23, 45 repealed by [Companies Act 1989 \(c. 40, SIF 27\)](#), **ss. 212, 213(2)** Sch. 24

<sup>F49</sup>46 . . . . .

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Insolvency Act 1985. (See end of Document for details)*

**Textual Amendments**

**F49** Sch. 6 para. 46 repealed (1.10.2009) by [Companies Act 2006 \(c. 46\), s. 1300\(2\)](#), [Sch. 16](#); [S.I. 2008/2860, art. 4](#), [Sch. 1 Pt. 1](#) (with [arts. 78Sch. 2](#)) (which transitional provisions in Sch. 2 are amended (1.10.2009) by [S.I. 2009/2476](#), arts. 1(3), 2(3)(4) and by [S.I. 2009/1802](#), arts. 1, 18, Sch.)

**F50** 47 . . . . .

**Textual Amendments**

**F50** Sch. 6 para. 47 repealed (1.10.2009) by [Companies Act 2006 \(c. 46\), s. 1300\(2\)](#), [Sch. 16](#); [S.I. 2008/2860, art. 4](#), [Sch. 1 Pt. 1](#) (with [arts. 78Sch. 2](#)) (which transitional provisions in Sch. 2 are amended (1.10.2009) by [S.I. 2009/2476](#), arts. 1(3), 2(3)(4) and by [S.I. 2009/1802](#), arts. 1, 18, Sch.)

48—52. . . . . **F51**

**Textual Amendments**

**F51** Sch. 1 paras. 1–4, 5(4), Schs. 3–5, Sch. 6 paras. 5, 6, 9, 15–17, 20–22, 25–44, 48–52, Sch. 7, Sch. 9 paras. 1, 4–24, Sch. 10 repealed by [Insolvency Act 1986 \(c. 45, SIF 66\), s. 438](#), [Sch. 12](#)

SCHEDULE 7

. . . . . **F52**

**Textual Amendments**

**F52** Sch. 1 paras. 1–4, 5(4), Schs. 3–5, Sch. 6 paras. 5, 6, 9, 15–17, 20–22, 25–44, 48–52, Sch. 7, Sch. 9 paras. 1, 4–24, Sch. 10 repealed by [Insolvency Act 1986 \(c. 45, SIF 66\), s. 438](#), [Sch. 12](#)

SCHEDULE 8

Section 235.

CONSEQUENTIAL AMENDMENTS

*The <sup>M9</sup>Bills of Sale Act (1878) Amendment Act 1882*

**Marginal Citations**

**M9** 1882 c. 43.

1 In section 11 of the Bills of Sale Act (1878) Amendment Act 1882 (local registration of bills of sale), for the words “the London bankruptcy district as defined by the Bankruptcy Act 1869” and the words “the said London bankruptcy district” there shall be substituted, in each case, the words “the London insolvency district”.

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Insolvency Act 1985. (See end of Document for details)*

*The <sup>M10</sup>Deeds of Arrangement Act 1914*

**Marginal Citations**

**M10** 1914 c. 47.

- 2 (1) The Deeds of Arrangement Act 1914 shall be amended as follows.
- (2) In subsections (1) and (4) of section 3 (extension by court having jurisdiction in bankruptcy of period for assent and registration), for the words “in bankruptcy in” there shall be substituted the words “for the purposes of Part III of the Insolvency Act 1985 in relation to”.
- (3) In section 11 (security of trustee)—
- (a) in subsection (1), for the words “in bankruptcy in” and the words “London bankruptcy district” there shall be substituted, respectively, the words “for the purposes of Part III of the Insolvency Act 1985 in relation to” and the words “London insolvency district”; and
- (b) in subsection (2), for the words “in bankruptcy in” there shall be substituted the words “for the purposes of Part III of the Insolvency Act 1985 in relation to”.
- (4) In section 13(2) (default in transmission of accounts to Secretary of State), for the words from “and the judge” onwards there shall be substituted the words “and, in addition, shall be guilty of contempt of court and liable to be punished accordingly”.
- (5) In section 14 (transmission of accounts to creditors), for the words from “the High Court” onwards there shall be substituted the words “he shall be guilty of contempt of court and liable to be punished accordingly”.
- (6) In section 15(1) (audit of accounts in accordance with the <sup>M11</sup>Bankruptcy Act 1914), for the words “all the provisions of the Bankruptcy Act 1914” there shall be substituted the words “any rules made under section 207 of the Insolvency Act 1985”.
- (7) In section 16 (payment of undistributed moneys into court), for the words “in bankruptcy in” there shall be substituted the words “for the purposes of Part III of the Insolvency Act 1985 in relation to”.
- (8) In section 19(1) (provisions for protection of trustees under void deeds), for the words “receiving order” there shall be substituted the words “bankruptcy order”.
- (9) In section 23 (courts in which applications for enforcement of trusts to be made), for the words “in bankruptcy in” there shall be substituted the words “for the purposes of Part III of the Insolvency Act 1985 in relation to”.
- (10) In section 30(1) (interpretation), for the words “the Bankruptcy Act 1914” there shall be substituted the words “the Insolvency Act 1985”.

**Marginal Citations**

**M11** 1914 c. 59.



*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Insolvency Act 1985. (See end of Document for details)*

### *The <sup>M12</sup>Settled Land Act 1925*

#### **Marginal Citations**

**M12** 1925 c. 18.

- 3 In section 103 of the Settled Land Act 1925 (legal estate in settled land not to vest in trustee in bankruptcy of estate owner), for the words from the beginning to “an” there shall be substituted the words “For the purposes of determining, where the estate owner of any settled land is bankrupt, whether the legal estate in the settled land is comprised in, or is capable of being claimed for, the bankrupt’s estate, the legal estate in the settled land shall be deemed not to vest in the”.

### *The <sup>M13</sup>Law of Property Act 1925*

#### **Marginal Citations**

**M13** 1925 c. 20.

- 4 In section 52(2)(b) of the Law of Property Act 1925 (exceptions from requirement that conveyances are to be by deed), for the words “section fifty-four of the <sup>M14</sup>Bankruptcy Act 1914” there shall be substituted the words “section 91 or 161 of the Insolvency Act 1985”.

#### **Marginal Citations**

**M14** 1914 c. 59.

### *The <sup>M15</sup>Land Registration Act 1925*

#### **Marginal Citations**

**M15** 1925 c. 21.

<sup>F53</sup>5 .....

#### **Textual Amendments**

**F53** Sch. 8 para. 5 repealed (13.10.2003) by Land Registration Act 2002 (c. 9), s. 136(2), Sch. 13 (with s. 129, Sch. 12 para. 1); S.I. 2003/1725, art. 2(1)

### *The <sup>M16</sup>Agricultural Credits Act 1928*

#### **Marginal Citations**

**M16** 1928 c. 43.

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Insolvency Act 1985. (See end of Document for details)*

- 6 In section 7 of the Agricultural Credits Act 1928 (effect of floating charge), in paragraph (a)(i) of the proviso, for the words “receiving order in bankruptcy” there shall be substituted the words “bankruptcy order”.

*The Third Parties (Rights against Insurers) Act 1930*

- 7 (1) The Third Parties (Rights against Insurers) Act 1930 shall be amended as follows.
- (2) In section 1 (rights of third parties against insurers on bankruptcy etc. of the insured)
- (a) in subsection (1)(b), after the words “winding-up order” there shall be inserted the words “or an administration order” and at the end there shall be inserted the words “or of a composition or scheme proposed for the purposes of Chapter II of Part II of the Insolvency Act 1985 being approved under that Chapter”;
- (b) in subsection (2), for the words from “an order is made” to “law of bankruptcy” there shall be substituted the words “the estate of any person falls to be administered in accordance with an order under section 228 of the Insolvency Act 1985” and for the words “the said Act” there shall be substituted the words “any such order”;
- (c) in subsection (3), for the words from “making of an order” to “his estate” there shall be substituted the words “estate of any person falling to be administered in accordance with an order under section 228 of the Insolvency Act 1985”.
- (3) In section 2 (duty to give necessary information to third parties)—
- (a) in subsection (1)—
- (i) for the words from “an order being made” to “estate of any person” there shall be substituted the words “the estate of any person falling to be administered in accordance with an order under section 228 of the Insolvency Act 1985”;
- (ii) after the words “winding-up order” there shall be inserted the words “or an administration order”, and
- (iii) after the word “liquidator” there shall be inserted the word “administrator”;
- and
- (b) after that subsection there shall be inserted the following subsection—
- “(1A) The reference in subsection (1) of this section to a trustee includes a reference to the supervisor of a composition or scheme proposed for the purposes of, and approved under, Chapter II of Part II or Chapter I of Part III of the Insolvency Act 1985.”
- (4) In section 3 (settlement between insurers and insured)—
- (a) after the words “winding-up order” there shall be inserted the words “or an administration order”;
- (b) after the words “or winding up” there shall be inserted the words “or the day of the making of the administration order”; and
- (c) after the word “commencement”, in the second place where it occurs, there shall be inserted the words “or day”.

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Insolvency Act 1985. (See end of Document for details)*

- (5) In section 4(b) (application to Scotland), for the words from “an order” to “law of bankruptcy” there shall be substituted the words “an estate falling to be administered in accordance with an order under section 228 of the Insolvency Act 1985”.

8 ..... F54

**Textual Amendments**

**F54** Sch. 8 para. 8 repealed by Finance Act 1987 (c. 16, SIF 99:6), s. 72, **Sch. 16 Pt. XI**

9 ..... F55

**Textual Amendments**

**F55** Sch. 8 paras. 9, 30 repealed by Agricultural Holdings Act 1986 (c. 5, SIF 2:3), ss. 99(1), 101(1), Sch. 13 para. 3, **Sch. 15 Pt. I**

*The <sup>M17</sup>Arbitration Act 1950*

**Marginal Citations**

**M17** 1950 c. 27.

F56<sup>10</sup> .....

**Textual Amendments**

**F56** Sch. 8 para. 10 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 17** Group 6

*The <sup>M18</sup>Administration of Justice Act 1956*

**Marginal Citations**

**M18** 1956 c. 46.

- 11 In section 40 of the Administration of Justice Act 1956 (effect of registration of judgments of courts outside England and Wales)—
- (a) the words “the Bankruptcy Act 1914” shall be omitted; and
  - (b) for the words “those Acts” there shall be substituted the words “the said Act of 1869”.

*The <sup>M19</sup>Licensing Act 1964*

**Marginal Citations**

**M19** 1964 c. 26.

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Insolvency Act 1985. (See end of Document for details)*

F57 12 .....

**Textual Amendments**

**F57** Sch. 8 para. 12 repealed (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), **Sch. 7** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4)

*The <sup>M20</sup>Law of Property (Joint Tenants) Act 1964*

**Marginal Citations**

**M20** 1964 c. 63.

13 In paragraph (b) of the proviso to section 1(1) of the Law of Property (Joint Tenants) Act 1964 (assumptions on sale of land by survivor of joint tenants), for the words “a receiving order in bankruptcy” there shall be substituted the words “a bankruptcy order”.

*The <sup>M21</sup>General Rate Act 1967*

**Marginal Citations**

**M21** 1967 c. 9.

F58 14 .....

**Textual Amendments**

**F58** Sch. 8 para. 14 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 17** Group 6

*The <sup>M22</sup>Medicines Act 1968*

**Marginal Citations**

**M22** 1968 c. 67.

15 In section 72(4) of the Medicines Act 1968 (which specifies the persons who may carry on the business of a pharmacist in the case of his death or disability), at the end there shall be inserted the words—

“; and in paragraph (b) above the reference to a trustee appointed under a composition, scheme or deed of arrangement includes a reference to the supervisor of a composition or scheme proposed for the purposes of, and approved under, Chapter I of Part III of the Insolvency Act 1985.”

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Insolvency Act 1985. (See end of Document for details)*

*The <sup>M23</sup>Transport Act 1968*

**Marginal Citations**

**M23** 1968 c. 73.

**F59** 16 .....

**Textual Amendments**

**F59** Sch. 8 para. 16 repealed (1.1.1996) by 1994 c. 40, s. 81, **Sch. 17**; S.I. 1995/2835, **art. 2** (with Sch.) and expressed to be repealed (1.1.1996) by 1995 c. 23, s. 60(2), **Sch. 8 Pt. I** (with ss. 54, 55); S.I. 1995/2181, **art. 2** (with Sch.)

*The <sup>M24</sup>Insolvency Services (Accounting and Investment) Act 1970*

**Marginal Citations**

**M24** 1970 c. 8.

**F60** 17 .....

**Textual Amendments**

**F60** Sch. 8 para. 17 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 17** Group 6

*The <sup>M25</sup>Conveyancing and Feudal Reform (Scotland) Act 1970*

**Marginal Citations**

**M25** 1970 c. 35.

18 In schedule 3 to the Conveyancing and Feudal Reform (Scotland) Act 1970 (the standard conditions of a security), in standard condition 9(2)(b), for the words from “or an order” to “1925” there shall be substituted the words “or his estate falls to be administered in accordance with an order under section 228 of the Insolvency Act 1985”.

*The <sup>M26</sup>Superannuation Act 1972*

**Marginal Citations**

**M26** 1972 c. 11.

19 In section 5(2) of the Superannuation Act 1972 (rule that benefit is unassignable not to affect powers of court under section 51(2) of the <sup>M27</sup>Bankruptcy Act 1914)—

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Insolvency Act 1985. (See end of Document for details)*

- (a) for the words “section 51(2) of the Bankruptcy Act 1914” there shall be substituted the words “section 156 of the Insolvency Act 1985”; and
- (b) for the words “the said section 51(2)” there shall be substituted the words “section 51(2) of the Bankruptcy Act 1914 or the said section 156”.

**Marginal Citations**

**M27** 1914 c. 59.

*The <sup>M28</sup>Road Traffic Act 1972*

**Marginal Citations**

**M28** 1972 c. 20.

<sup>F61</sup>20 .....

**Textual Amendments**

**F61** Sch. 8 para. 20 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 17 Group 6

*The <sup>M29</sup>Land Charges Act 1972*

**Marginal Citations**

**M29** 1972 c. 61.

- 21 (1) The Land Charges Act 1972 shall be amended as follows.
- (2) In section 5(8) (unregistered bankruptcy petition not to bind purchaser in good faith, for money or money’s worth without notice of an available act of bankruptcy) the words “without notice of an available act of bankruptcy” shall be omitted.
  - (3) In section 6 (the register of writs and orders affecting land)—
    - (a) for paragraph (c) of subsection (1) there shall be substituted the following paragraph—
 

“(c) any bankruptcy order, whether or not the bankrupt’s estate is known to include land.”;
    - (b) in subsection (3), for the words “receiving order in bankruptcy” there shall be substituted the words “bankruptcy order”;
    - (c) for subsection (5) there shall be substituted the following subsection—
 

“(5) Subject to subsection (6) below, the title of a trustee in bankruptcy shall be void as against a purchaser of a legal estate in good faith for money or money’s worth unless the bankruptcy order is for the time being registered under this section.”; and
    - (d) in subsection (6), the words “without notice of an available act of bankruptcy” shall be omitted.

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Insolvency Act 1985. (See end of Document for details)*

(4) In section 16(2) (general rules)—

- (a) for the words “general rules under section 132 of the <sup>M30</sup>Bankruptcy Act 1914 for carrying into effect the objects of that Act” there shall be substituted the words “rules under section 207 of the Insolvency Act 1985”;
- (b) for the words “a receiving order in bankruptcy” there shall be substituted the words “a bankruptcy order”; and
- (c) for the words “by that Act” there shall be substituted the words “by Part III of that Act”.

**Marginal Citations**

**M30** 1914 c. 59.

*The <sup>M31</sup>Local Government Act 1972*

**Marginal Citations**

**M31** 1972 c. 70.

<sup>F62</sup>22 .....

**Textual Amendments**

**F62** Sch. 8 para. 22 repealed (1.4.2004) by Enterprise Act 2002 (c. 40), s. 279, Sch. 26; S.I. 2003/2093, art. 2(2), Sch. 2

*The <sup>M32</sup>Matrimonial Causes Act 1973*

**Marginal Citations**

**M32** 1973 c. 18.

23 In section 39 of the Matrimonial Causes Act 1973 (settlement etc. made in compliance with a property adjustment order may be avoided on bankruptcy of settlor), for the words from “a settlement of” onwards there shall be substituted the words “a transaction in respect of which an order may be made under section 174 of the Insolvency Act 1985 (transactions at an undervalue and preferences)”.

24 ..... <sup>F63</sup>

**Textual Amendments**

**F63** Sch. 8 para. 24 repealed by Criminal Justice Act 1988 (c. 33, SIF 39:1), ss. 123, 170, Sch. 8 para. 16, Sch. 16

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Insolvency Act 1985. (See end of Document for details)*

*The <sup>M33</sup>Solicitors Act 1974*

**Marginal Citations**

**M33** 1974 c. 47.

- 25      In section 12(1)(i) of the Solicitors Act 1974 (application for a practising certificate by a person who has been adjudged bankrupt and has obtained his discharge), for the words “and having obtained his discharge” there shall be substituted the words “and discharged”.

*The <sup>M34</sup>Social Security Pensions Act 1975*

**Marginal Citations**

**M34** 1975 c. 60.

- <sup>F64</sup>26      .....

**Textual Amendments**

**F64** Sch. 8 para. 26 repealed (7.2.1994) by 1993 c. 48, s. 188(1)(3), **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

*The <sup>M35</sup>Recess Elections Act 1975*

**Marginal Citations**

**M35** 1975 c. 66.

- 27      In section 1(2) of the Recess Elections Act 1975 (which defines certain expressions used in that Act), in the definition of “certificate of vacancy” for the words from “the relevant bankruptcy enactment” to the end of paragraph (b) there shall be substituted the words “section 214(6)(a) of the Insolvency Act 1985”.

*The <sup>M36</sup>Insolvency Act 1976*

**Marginal Citations**

**M36** 1976 c. 60.

- <sup>F65</sup>28      .....

**Textual Amendments**

**F65** Sch. 8 para. 28 repealed (5.11.1993) by 1993 c.50, s. 1(1), **Sch. 1 Pt I**, Group I



*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Insolvency Act 1985. (See end of Document for details)*

*The <sup>M37</sup>Land Drainage Act 1976*

**Marginal Citations**

**M37** 1976 c. 70.

**F66**29 .....

**Textual Amendments**

**F66** Sch. 8 para. 29 repealed (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), ss. 3(1), 4(2), **Sch. 3 Pt.1** (with Sch. 2 paras. 10, 14(1), 15).

30 ..... **F67**

**Textual Amendments**

**F67** Sch. 8 paras. 9, 30 repealed by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#), ss. 99(1), 101(1), Sch. 13 para. 3, **Sch. 15 Pt. I**

*The <sup>M38</sup>Employment Protection (Consolidation) Act 1978*

**Marginal Citations**

**M38** 1978 c. 44.

31 **F68**(1) .....

**F68**(2) .....

**F69**(3) .....

(4) ..... **F70**

**F68**(5) .....

**Textual Amendments**

**F68** Sch. 8 para. 31(1)(2)(5) repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

**F69** Sch. 8 para. 31(3) repealed (7.2.1994) by 1993 c. 48, s. 188(1)(3), **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

**F70** Sch. 8 para. 31(4) repealed by [Employment Act 1989 \(c. 38, SIF 43:1\)](#), s. 29(4), **Sch. 7 Pt. II**

*The Banking Act 1979*

**F71**32 .....

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Insolvency Act 1985. (See end of Document for details)*

**Textual Amendments**

**F71** Sch. 8 para. 32 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 17 Group 6

*The <sup>M39</sup>Estate Agents Act 1979*

**Marginal Citations**

**M39** 1979 c. 38.

- 33 In section 23(2) of the Estate Agents Act 1979 (prohibition on bankrupts engaging in estate agency work to cease on discharge), for paragraph (b) there shall be substituted the following paragraph—

“(b) he is discharged from bankruptcy.”

*The <sup>M40</sup>Public Passenger Vehicles Act 1981*

**Marginal Citations**

**M40** 1981 c. 14.

- 34 In section 19(3) of the Public Passenger Vehicles Act 1981 (holder of PSV operator’s licence to give notice of bankruptcy etc.), after the word “estate” there shall be inserted the words “or the making of an administration order under Chapter III of Part II of the Insolvency Act 1985 in relation to the holder”.

*The <sup>M41</sup>[<sup>F72</sup>Senior Courts Act 1981]*

**Textual Amendments**

**F72** Words in Act substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), s. 148(1), Sch. 11 para. 1(2); S.I. 2009/1604, art. 2(d)

**Marginal Citations**

**M41** 1981 c. 54.

<sup>F73</sup>35 . . . . .

**Textual Amendments**

**F73** Sch. 8 para. 35 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 17 Group 6

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Insolvency Act 1985. (See end of Document for details)*

*The <sup>M42</sup>Civil Jurisdiction and Judgments Act 1982*

**Marginal Citations**

**M42** 1982 c. 27.

36 After paragraph (b) of section 18(3) of the Civil Jurisdiction and Judgments Act 1982 (judgments to which provisions relating to the enforcement of judgments within the United Kingdom do not apply), there shall be inserted the following paragraph—

“(ba) a judgment given in the exercise of jurisdiction in relation to insolvency law, within the meaning of section 213 of the Insolvency Act 1985;”.

*The <sup>M43</sup>Insurance Companies Act 1982*

**Marginal Citations**

**M43** 1982 c. 50.

37 (1) The Insurance Companies Act 1982 shall be amended as follows.

<sup>F74</sup>(2) .....

(3) In section 56 (continuation of long term business of insurance companies in liquidation)—

- (a) in subsection (4), for the words “Section 556(3) of the Companies Act” and for the words “section 556 of the Companies Act” there shall be substituted, respectively, the words “Section 90(5) of the Insolvency Act 1985” and the words “section 90 of the said Act of 1985”;
- (b) in subsection (7), for the words “committee of inspection” there shall be substituted the words “a specified committee”.

(4) In section 59 (winding-up rules)—

- (a) in subsection (1), for the words “section 663 of the Companies Act” there shall be substituted the words “section 106 of the Insolvency Act 1985”; and
- (b) in subsection (2), for the words “section 663 of the Companies Act” and the words “section 614 of, and schedule 19 to, the Companies Act” there shall be substituted, respectively, the words “section 106 of the Insolvency Act 1985” and the words “section 89 of, and schedule 4 to, the Insolvency Act 1985”.

**Textual Amendments**

**F74** Sch. 8 para. 37(2) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 17 Group 6

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Insolvency Act 1985. (See end of Document for details)*

*The <sup>M44</sup>County Courts Act 1984*

**Marginal Citations**

**M44** 1984 c. 28.

38 (1) The County Courts Act 1984 shall be amended as follows.

<sup>F75</sup>(2) .....

<sup>F75</sup>(3) .....

<sup>F76</sup>(4) .....

**Textual Amendments**

**F75** Sch. 8 para. 38(2)(3) repealed by 1993 c. 50, s. 1(1), **Sch. 1 Pt. I**, Group I

**F76** Sch. 8 para. 38(4) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 17** Group 6

*The Housing Act 1985*

39 (1) The Housing Act 1985 shall be amended as follows.

(2) In paragraph 3(4) of schedule 18 (suspension of condition as to residence), for the words “is administered in bankruptcy under section 130 of the Bankruptcy Act 1914” there shall be substituted the words “falls to be administered in accordance with an order under section 228 of the Insolvency Act 1985”.

(3) In paragraph 5(3) of that schedule (conditions affecting house purchased by means of advance), for the words “being administered in bankruptcy under section 130 of the Bankruptcy Act 1914” there shall be substituted the words “falling to be administered in accordance with an order under section 228 of the Insolvency Act 1985”.

*The <sup>M45</sup>Administration of Justice Act 1985*

**Marginal Citations**

**M45** 1985 c. 61.

40 In section 16(1)(g) of the Administration of Justice Act 1985 (conditional licences), for the words “and having obtained his discharge” there shall be substituted the words “and discharged”.

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Insolvency Act 1985. (See end of Document for details)*

## SCHEDULE 9

Section 235.

### TRANSITIONAL PROVISIONS AND SAVINGS

#### PART I

1 ..... F77

##### Textual Amendments

**F77** Sch. 1 paras. 1–4, 5(4), Schs. 3–5, Sch. 6 paras. 5, 6, 9, 15–17, 20–22, 25–44, 48–52, Sch. 7, Sch. 9 paras. 1, 4–24, Sch. 10 repealed by Insolvency Act 1986 (c. 45, SIF 66), s. 438, **Sch. 12**

#### PART II

2, 3. .... F78

##### Textual Amendments

**F78** Sch. 2, Sch. 6 paras. 1, 2, 14, Sch. 9 paras. 2, 3 repealed by Company Directors Disqualification Act 1986 (c. 46, SIF 27), s. 23(2), **Sch. 4**

4–10. .... F79

##### Textual Amendments

**F79** Sch. 1 paras. 1–4, 5(4), Schs. 3–5, Sch. 6 paras. 5, 6, 9, 15–17, 20–22, 25–44, 48–52, Sch. 7, Sch. 9 paras. 1, 4–24, Sch. 10 repealed by Insolvency Act 1986 (c. 45, SIF 66), s. 438, **Sch. 12**

#### PARTS III AND IV

11–24. .... F80

##### Textual Amendments

**F80** Sch. 1 paras. 1–4, 5(4), Schs. 3–5, Sch. 6 paras. 5, 6, 9, 15–17, 20–22, 25–44, 48–52, Sch. 7, Sch. 9 paras. 1, 4–24, Sch. 10 repealed by Insolvency Act 1986 (c. 45, SIF 66), s. 438, **Sch. 12**

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*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Insolvency Act 1985. (See end of Document for details)*

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## SCHEDULE 10

F81

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### Textual Amendments

**F81** Sch. 1 paras. 1–4, 5(4), Schs. 3–5, Sch. 6 paras. 5, 6, 9, 15–17, 20–22, 25–44, 48–52, Sch. 7, Sch. 9 paras. 1, 4–24, Sch. 10 repealed by Insolvency Act 1986 (c. 45, SIF 66), s. 438, **Sch. 12**

**Status:**

Point in time view as at 01/10/2009.

**Changes to legislation:**

There are currently no known outstanding effects for the Insolvency Act 1985.