

Status: Point in time view as at 06/04/2005.

Changes to legislation: Insolvency Act 1986, Part I is up to date with all changes known to be in force on or before 09 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 13

CONSEQUENTIAL AMENDMENTS OF COMPANIES ACT 1985

PART I

INTERNAL AND OTHER SECTION REFERENCES AMENDED OR RE-AMENDED

Section of Act	Consequential amendment or re-amendment
Section 13(4)	After “this Act”, add “and the Insolvency Act”.
Section 44(7)	In paragraph (a), for “section 582” substitute “section 110 of the Insolvency Act”.
Section 103(7)	In paragraph (a), the same amendment.
Section 131(7)	The same amendment.
Section 140(2)	In paragraph (b), for “section 518” substitute “section 123 of the Insolvency Act”.
Section 153(3)	In paragraph (f), for “section 582” substitute “section 110 of the Insolvency Act”.
	In paragraph (g), for “Chapter II of Part II of the Insolvency Act 1985” substitute “Part I of the Insolvency Act”.
Section 156(3)	For “section 517” substitute “section 122 of the Insolvency Act”.
Section 173(4)	The same amendment.
Section 196	For this section substitute—“196.—(1) The following applies in the case of a company registered in England and Wales, where debentures of the company are secured by a charge which, as created, was a floating charge.(2) If possession is taken, by or on behalf of the holders of any of the debentures, of any property comprised in or subject to charge, and the company is not at that time in course of being wound up, the company’s preferential debts shall be paid out of assets coming to the hands of the person taking possession in priority to any claims for principal or interest in

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	respect of the debentures.(3) “Preferential debts” means the categories of debts listed in Schedule 6 to the Insolvency Act; and for the purposes of that Schedule “the relevant date” is the date of possession being taken as above mentioned.(4) Payments made under this section shall be recouped, as far as may be, out of the assets of the company available for payment of general creditors.”
F1	F1
...	...
F1	F1
...	...
Section 380(4)	In paragraph (j), for “section 572(1)(a)” substitute “section 84(1)(a) of the Insolvency Act”.
Section 441(1)	For “section 13 of the Insolvency Act 1985” substitute “section 8 of the Company Directors Disqualification Act 1986”.
F2	F2
...	...
Section 461(6)	For “section 106 of the Insolvency Act 1985” substitute “section 411 of the Insolvency Act”.
Section 462(5)	After “this Part” insert “and Part III of the Insolvency Act 1986”.
Section 463(2)	For “Part XX (except section 623(4))” substitute “Part IV of the Insolvency Act (except section 185)”.
Section 463(3)	For this subsection substitute—“(3) Nothing in this section derogates from the provisions of sections 53(7) and 54(6) of the Insolvency Act (attachment of floating charge on appointment of receiver), or prejudices the operation of sections 175 and 176 of that Act (payment of preferential debts in winding up)”.
Section 464(6)	For “section 89 of the Insolvency Act 1985” substitute “sections 175 and 176 of the Insolvency Act”.
Section 657(2)	For “subsections (3) and (5) to (7) of section 91 of the Insolvency Act 1985 and section 92 of that Act” substitute “section 178(4) and sections 179 to 182 of the Insolvency Act”.

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Section 658(1)	For “Subsection (7) of section 91 of the Insolvency Act 1985” substitute “Section 180 of the Insolvency Act”.
Section 711(2)	In paragraph (b), for “section 600” substitute “section 109 of the Insolvency Act”.
Section 733	In subsection (1), omit “295(7)”.

F1

...

Textual Amendments

- F1** Entries in Pt. I of Sch. 13, relating to sections 222(4), 225 and 733(3) repealed by [Companies Act 1989](#) (c. 40, SIF 27), ss. 212, 213(2), [Sch. 24](#)
- F2** [Sch. 13 Pt. 1](#): entry repealed (6.4.2005) by [Companies \(Audit, Investigations and Community Enterprise\) Act 2004](#) (c. 27), ss. 64, 65, [Sch. 8](#); S.I. 2004/3322, [art. 2\(2\)](#), [Sch. 2](#) (subject to arts. 3-13)

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