



Insolvency Act 1986

1986 CHAPTER 45

PART IV

WINDING UP OF COMPANIES REGISTERED UNDER THE COMPANIES ACTS

CHAPTER VI

WINDING UP BY THE COURT

Jurisdiction (England and Wales)

117 High Court and county court jurisdiction.

- (1) The High Court has jurisdiction to wind up any company registered in England and Wales.
- (2) Where the amount of a company's share capital paid up or credited as paid up does not exceed £120,000, then (subject to this section) the county court of the district in which the company's registered office is situated has concurrent jurisdiction with the High Court to wind up the company.
- (3) The money sum for the time being specified in subsection (2) is subject to increase or reduction by order under section 416 in Part XV.
- (4) The Lord Chancellor [^{F1}may, with the concurrence of the Lord Chief Justice, by order] in a statutory instrument exclude a county court from having winding-up jurisdiction, and for the purposes of that jurisdiction may attach its district, or any part thereof, to any other county court, and may by statutory instrument revoke or vary any such order.

In exercising the powers of this section, the Lord Chancellor shall provide that a county court is not to have winding-up jurisdiction unless it has for the time being jurisdiction for the purposes of Parts VIII to XI of this Act (individual insolvency).

Status: Point in time view as at 01/10/2012. This version of this provision has been superseded.

Changes to legislation: Insolvency Act 1986, Section 117 is up to date with all changes known to be in force on or before 26 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)

- (5) Every court in England and Wales having winding-up jurisdiction has for the purposes of that jurisdiction all the powers of the High Court; and every prescribed officer of the court shall perform any duties which an officer of the High Court may discharge by order of a judge of that court or otherwise in relation to winding up.
- (6) For the purposes of this section, a company’s “registered office” is the place which has longest been its registered office during the 6 months immediately preceding the presentation of the petition for winding up.
- [^{F2}(7) This section is subject to Article 3 of the EC Regulation (jurisdiction under EC Regulation).]
- [^{F3}(8) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.]

Textual Amendments

- F1** Words in s. 117(4) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 148, [Sch. 4 para. 186\(2\)](#); [S.I. 2006/1014](#), [art. 2\(a\)](#), Sch. 1
- F2** S. 117(7) inserted (31.5.2002) by [S.I. 2002/1240](#), [reg. 6](#)
- F3** S. 117(8) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 148, [Sch. 4 para. 186\(3\)](#); [S.I. 2006/1014](#), [art. 2\(a\)](#), Sch. 1

Modifications etc. (not altering text)

- C1** S. 117 applied (with modifications) (1.12.1994) by [S.I. 1994/2421](#), [art. 7\(3\)](#), [Sch. 3 Pt. II para. 6](#)
 S. 117 applied (with modifications) (1.12.1994) by [S.I. 1994/2421](#), [art. 8\(3\)\(9\)](#), [Sch. 4 Pt. II para. 5](#)
 S. 117 applied (with modifications) (1.12.1994) by [S.I. 1994/2421](#), [art. 10\(1\)](#), [Sch. 6 para. 1](#)
 S. 117 applied (with modifications) (2.4.2001) by [2000 c. 39](#), s. 8, [Sch. 4 Pt. I para. 5](#); [S.I. 2001/766](#), [art. 2\(1\)\(a\)](#) (subject to [art. 3](#))
- C2** S. 117 modified (1.12.1994) by [S.I. 1994/2421](#), [art. 9\(a\)](#), [Sch. 5 para. 1](#)

Status:

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Changes to legislation:

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