



Insolvency Act 1986

1986 CHAPTER 45

PART XIII

INSOLVENCY PRACTITIONERS AND THEIR QUALIFICATION

[^{F1}Court sanction of insolvency practitioners in public interest cases

[^{F1}391P Application for, and power to make, direct sanctions order

- (1) The Secretary of State may apply to the court for a direct sanctions order to be made against a person if it appears to the Secretary of State that it would be in the public interest for the order to be made.
- (2) The Secretary of State must send a copy of the application to the relevant recognised professional body.
- (3) The court may make a direct sanctions order against a person where, on an application under this section, the court is satisfied that condition 1 and at least one of conditions 2, 3, 4 and 5 are met in relation to the person.
- (4) The conditions are set out in section 391Q.
- (5) In deciding whether to make a direct sanctions order against a person the court must have regard to the extent to which—
 - (a) the relevant recognised professional body has taken action against the person in respect of the failure mentioned in condition 1, and
 - (b) that action is sufficient to address the failure.]

Textual Amendments

- F1** Ss. 391O-391R and cross-heading inserted (1.10.2015 immediately after 2015 c. 20, s. 17 comes into force) by [Small Business, Enterprise and Employment Act 2015 \(c. 26\)](#), **ss. 141**, 164(1); [S.I. 2015/1689](#), reg. 3(a) (with Sch. para. 18)

Status: Point in time view as at 19/12/2018. This version of this provision has been superseded.

Changes to legislation: Insolvency Act 1986, Section 391P is up to date with all changes known to be in force on or before 09 August 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)

Modifications etc. (not altering text)

- C1** Pt. 13 applied (with modifications) (7.4.2017) by [Building Societies Act 1986 \(1986 c. 53\)](#), [Sch. 15A](#) (as amended by [S.I. 2017/400](#), [regs. 1\(2\)](#), [2\(4\)](#))
- C2** Pt. 13 applied (with modifications) (7.4.2017) by [Friendly Societies Act 1992 \(1992 c. 40\)](#), [Sch. 10](#) (as amended by [S.I. 2017/400](#), [regs. 1\(2\)](#), [3](#))
- C3** Pt. 13 applied (with modifications) (7.4.2017) by [Building Societies Act 1986 \(1986 c. 53\)](#), [Sch. 15](#) (as amended by [S.I. 2017/400](#), [regs. 1\(2\)](#), [2\(3\)](#))
- C4** [Ss. 391A-391T](#) applied (with modifications) (7.4.2017) by [Banking Act 2009 \(2009 c. 1\)](#), [s. 145](#) Table 2 (as amended by [S.I. 2017/400](#), [regs. 1\(2\)](#), [5\(10\)](#))
- C5** [Ss. 391A-391T](#) applied (with modifications) (7.4.2017) by [Banking Act 2009 \(2009 c. 1\)](#), [s. 103](#) (as amended by [S.I. 2017/400](#), [regs. 1\(2\)](#), [5\(4\)](#))

Status:

Point in time view as at 19/12/2018. This version of this provision has been superseded.

Changes to legislation:

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