



# Third Parties (Rights against Insurers) Act 2010

## 2010 CHAPTER 10

### *Relevant persons*

#### **4 Individuals**

- (1) An individual is a relevant person if any of the following is in force in respect of that individual in England and Wales—
  - (a) a deed of arrangement registered in accordance with the Deeds of Arrangement Act 1914,
  - (b) an administration order made under Part 6 of the County Courts Act 1984,
  - (c) an enforcement restriction order made under Part 6A of that Act,
  - (d) subject to subsection (4), a debt relief order made under Part 7A of the Insolvency Act 1986,
  - (e) a voluntary arrangement approved in accordance with Part 8 of that Act, or
  - (f) a bankruptcy order made under Part 9 of that Act.
- (2) An individual is a relevant person if any of the following is in force in respect of that individual (or, in the case of paragraph (a) or (b), that individual's estate) in Scotland—
  - (a) an award of sequestration made under section 5 of the Bankruptcy (Scotland) Act 1985,
  - (b) a protected trust deed within the meaning of that Act, or
  - (c) a composition approved in accordance with Schedule 4 to that Act.
- (3) An individual is a relevant person if any of the following is in force in respect of that individual in Northern Ireland—
  - (a) an administration order made under Part 6 of the Judgments Enforcement (Northern Ireland) Order 1981 (S.I. 1981/226 (N.I. 6)),
  - (b) a deed of arrangement registered in accordance with Chapter 1 of Part 8 of the Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N.I. 19)),
  - (c) a voluntary arrangement approved under Chapter 2 of Part 8 of that Order, or
  - (d) a bankruptcy order made under Part 9 of that Order.

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*Status: This is the original version (as it was originally enacted).*

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- (4) If an individual is a relevant person by virtue of subsection (1)(d), that person is a relevant person for the purposes of section 1(1)(b) only.
- (5) Where an award of sequestration made under section 5 of the Bankruptcy (Scotland) Act 1985 is recalled or reduced, any rights which were transferred under section 1 as a result of that award are re-transferred to and vest in the person who became a relevant person as a result of the award.
- (6) Where an order discharging an individual from an award of sequestration made under section 5 of the Bankruptcy (Scotland) Act 1985 is recalled or reduced under paragraph 17 or 18 of Schedule 4 to that Act, the order is to be treated for the purposes of this section as never having been made.