



Technical and Further Education Act 2017

2017 CHAPTER 19

PART 2

FURTHER EDUCATION BODIES: INSOLVENCY ETC

CHAPTER 3

RESTRICTIONS ON USE OF NORMAL INSOLVENCY PROCEDURES

10 Administrator appointments by creditors etc

- (1) Subsections (2) to (4) make provision about the appointment of an administrator under—
 - (a) paragraph 14 of Schedule B1 to the Insolvency Act 1986, in relation to a further education body that is a company, or
 - (b) paragraph 22 of Schedule B1 to the Insolvency Act 1986, in relation to any further education body.
- (2) If in any case—
 - (a) an education administration order is in force in relation to the further education body,
 - (b) an education administration order has been made in relation to the further education body but is not yet in force, or
 - (c) an education administration application in relation to the further education body is outstanding,a person may not take any step to make an appointment.
- (3) In any other case, an appointment takes effect only if each of the following conditions are met.
- (4) The conditions are—
 - (a) that notice of the appointment has been given to the appropriate national authority, accompanied by a copy of every document in relation to the

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Technical and Further Education Act 2017, Section 10. (See end of Document for details)

- appointment that is filed or lodged with the court in accordance with paragraph 18 or 29 of Schedule B1 to the Insolvency Act 1986,
- (b) that a period of at least 14 days has elapsed since that notice was given,
 - (c) that there is no outstanding education administration application in relation to the further education body, and
 - (d) that the making of an education administration application in relation to the further education body has not resulted in the making of an education administration order which is in force or is still to come into force.
- (5) Paragraph 44 of Schedule B1 to the Insolvency Act 1986 (interim moratorium) does not prevent, or require the permission of the court for, the making of an education administration application at any time before the appointment takes effect.

Commencement Information

II S. 10 in force at 31.1.2019 by S.I. 2018/1161, reg. 3(a)

Changes to legislation:

There are currently no known outstanding effects for the Technical and Further Education Act 2017, Section 10.