



# Technical and Further Education Act 2017

## 2017 CHAPTER 19

### PART 2

#### FURTHER EDUCATION BODIES: INSOLVENCY ETC

### CHAPTER 2

#### APPLICATION OF NORMAL INSOLVENCY TO STATUTORY CORPORATIONS

#### **6 Application of normal insolvency procedures**

- (1) The purpose of this section is to make the following insolvency procedures available in relation to further education bodies that are statutory corporations—
  - (a) voluntary arrangements,
  - (b) administration,
  - (c) creditors' voluntary winding up, and
  - (d) winding up by the court,and to make provision about receivers and managers of property.
- (2) For that purpose, the relevant insolvency legislation applies in relation to further education bodies that are statutory corporations as it applies in relation to companies, subject to—
  - (a) any modifications or omissions specified in regulations made by the Secretary of State, and
  - (b) sections 9 to 12 (restrictions on normal insolvency procedures to facilitate special administration).
- (3) The "relevant insolvency legislation" means any provision made by or under the following provisions of the Insolvency Act 1986—
  - (a) Part 1 (company voluntary arrangements);
  - (b) Part 2 (administration);
  - (c) Part 3 (receivership);

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**Status:** *This is the original version (as it was originally enacted).*

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- (d) Part 4 (winding up);
  - (e) Parts 6, 7 and 12 to 18 (supplementary provision).
- (4) The modifications or omissions that may be made under subsection (2)(a) include modifications or omissions in connection with the interaction between the insolvency procedures made available in relation to further education bodies by this section and education administration under Chapter 4 of this Part.
- (5) Regulations under this section that modify or omit a provision of an Act as it applies by virtue of this section are subject to the affirmative resolution procedure.
- (6) Any other regulations under this section are subject to the negative resolution procedure.