



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

9 Making of ordinary administration orders

- (1) This section applies if a person other than the appropriate national authority makes an ordinary administration application in relation to a further education body.
- (2) The court must dismiss the application if—
 - (a) an education administration order is in force in relation to the further education body, or
 - (b) an education administration order has been made in relation to the further education body but is not yet in force.
- (3) If subsection (2) does not apply, the court, on hearing the application, must not exercise its powers under paragraph 13 of Schedule B1 to the Insolvency Act 1986 (other than its power of adjournment) unless—
 - (a) notice of the application has been given to the appropriate national authority,
 - (b) a period of at least 14 days has elapsed since that notice was given, and
 - (c) there is no outstanding education administration application.
- (4) 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.
- (5) In this section “ordinary administration application” means an application in accordance with paragraph 12 of Schedule B1 to the Insolvency Act 1986.