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STATUTORY INSTRUMENTS

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**2000 No. 971**

**The Policyholders Protection Act 1997  
(Commencement No. 1) Order 2000**

4.—(1) Subject to paragraphs (2) and (3), section 16 of the 1997 Act (extension of definition of “policyholder”) shall come into force on the specified date.

(2) Section 16 of the 1997 Act shall not have effect for the purposes of sections 5 to 11 of the 1975 Act where—

- (a) in a case falling within section 5(1)(a) of the 1975 Act<sup>(1)</sup> (whether or not an order for the winding up of the company by the court has been made since the resolution there mentioned was passed), the resolution was passed before the specified date; or
- (b) in a case falling within section 5(1)(b) of the 1975 Act, the petition for the winding up of the company by the court was presented before the specified date.

(3) Section 16 of the 1997 Act shall not have effect for the purposes of sections 15 to 17 of the 1975 Act where—

- (a) in a case falling within section 16(1)(a) of the 1975 Act, the petition for the winding up of the company which led to the appointment of the provisional liquidator was presented before the specified date;
- (b) in a case falling within section 16(1)(b) of the 1975 Act, the petition for the winding up of the company was presented before the specified date; or
- (c) in a case falling within section 16(1)(c) of the 1975 Act, the application for the sanctioning of a compromise or arrangement was made before the specified date.

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(1) Section 5(1)(a) of the 1975 Act was amended by section 439(2) of, and Schedule 14 to, the Insolvency Act 1986 (c. 45) and by article 381(2) of, and Part II (paragraph 26) of Schedule 9 to, the Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405).