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STATUTORY INSTRUMENTS

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**2010 No. 2580**

The Building Society Special Administration  
(England and Wales) Rules 2010

PART 5

Application of Insolvency Rules 1986

**General modifications**

**62.** The general modifications are that—

- (a) a reference to an administrator or liquidator is to be treated as a reference to the building society special administrator,
- (b) a reference to administration or liquidation is to be treated as a reference to building society special administration,
- (c) a reference to a provisional liquidator is to be treated as a reference to a provisional building society special administrator,
- (d) a reference to a winding-up order is to be treated as a reference to a building society special administration order,
- (e) a reference to a petition for a winding-up order is to be treated as a reference to an application for a building society special administration order,
- (f) a reference to insolvency proceedings is to be treated as a reference to building society special administration (or proceedings for special administration),
- (g) a reference to the responsible insolvency practitioner is to be treated as a reference to the building society special administrator or provisional special administrator,
- (h) all references to the Official Receiver are to be ignored,
- (i) all references to the county courts are to be ignored,
- (j) all references to the EC regulation or to the appointment of a member State liquidator are to be ignored,
- (k) a reference to the company is to be treated as a reference to the building society,
- (l) a reference to an affidavit is to be treated as to a witness statement verified by a statement of truth in accordance with Part 22 of the CPR,
- (m) a reference to the officers, or to a particular officer, of a company is to be treated as a reference to the officers, or to the corresponding officer, of a building society and as including a person holding himself out as such an officer,
- (n) a reference to a contributory is to be treated as a reference to a contributory within the meaning of these Rules (see rule 4(1)(d)),
- (o) a reference to the registered office of the company is to be treated as a reference to the principal office of the building society,

- (p) a reference to sending or giving a document or notice to, or filing it with, the registrar of companies is to be treated as a reference to sending the document or notice to the FSA for placing on the public file of the society,
- (q) a reference to a voluntary arrangement under Part 1 of the Insolvency Act 1986 is to be treated as a reference to a voluntary arrangement under that Part as applied in relation to building societies by section 90A of, and Schedule 15A to, the Building Societies Act 1986,
- (r) a reference in the rules to a paragraph of Schedule B1 to the Insolvency Act 1986 is to be treated as a reference to that paragraph as applied and modified by section 145 of the Banking Act 2009, by section 90C of the Building Societies Act 1986 and by any order made under section 158 of the Banking Act 2009, and
- (s) a reference to the Insolvency Act 1986 includes a reference to Part 3 of the Banking Act 2009.