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STATUTORY INSTRUMENTS

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**2012 No. 2404**

**DEBT MANAGEMENT AND RELIEF**  
**DEBT RELIEF ORDERS**

The Tribunals, Courts and Enforcement Act  
2007 (Consequential Amendments) Order 2012

*Made* - - - - - *15th September 2012*  
*Coming into force* - - - - - *1st October 2012*

The Secretary of State makes the following Order in exercise of the power conferred by section 145(1) and (2)(b) of the Tribunals, Courts and Enforcement Act 2007<sup>(1)</sup>.

In accordance with section 145(7) of that Act, a draft of this Order has been laid before, and approved by a resolution of, each House of Parliament.

**Citation, commencement and interpretation**

1. This Order may be cited as the Tribunals, Courts and Enforcement Act 2007 (Consequential Amendments) Order 2012 and comes into force on 1st October 2012.

2. In this Order—

- (a) a “debt relief order” means a debt relief order under Part 7A of the Insolvency Act 1986<sup>(2)</sup>; and
- (b) a “debt relief restrictions order”, a “debt relief restrictions undertaking”, an “interim debt relief restrictions order” and an “interim debt relief restrictions undertaking” are those made or given under section 251V of and Schedule 4ZB to the Insolvency Act 1986<sup>(3)</sup>.

**Consequential amendments to or in connection with disqualification provisions**

3.—(1) Schedule 1, which amends the Company Directors Disqualification Act 1986<sup>(4)</sup>, has effect.

(2) Schedule 2, which amends other Acts of Parliament, has effect.

(3) Schedule 3, which amends instruments made under Acts of Parliament, has effect.

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(1) 2007 c.15.  
(2) 1986 c.45; Part 7A was inserted by 2007 c. 15, section 108(1) and Schedule 17.  
(3) Schedule 4ZB was inserted by 2007 c. 15, section 108(2) and Schedule 19.  
(4) 1986 c.46.

## **Extent**

- 4.—(1) The amendment in Schedule 1 extends to England and Wales only.
- (2) An amendment in Schedule 2 or 3 extends to any part of the United Kingdom to which the amended enactment extends.

## **Transitional provisions**

5. The amendments made by Schedule 2 apply only in relation to a debt relief order the application for which is made after the coming into force of this Order, except for the amendments made by the provisions listed in article 6 and as provided in article 9.

6. The amendments made by paragraphs 5, 9, 15, 26, 42, 48, 49, 50(2)(b), 50(3)(b), 51, 53(3)(b), 53(3)(e), 53(4), 54(3), 58(3), 60 and 62(3) of Schedule 2 apply only in relation to a debt relief restrictions order, an interim debt relief restrictions order, a debt relief restrictions undertaking or interim debt relief restrictions undertaking where the order is made, or (as the case may be) the debtor gives the undertaking, after the coming into force of this Order.

7. The amendments made by Schedule 3 apply only in relation to a debt relief order the application for which is made after the coming into force of this Order, except for the amendments made by the provisions listed in article 8 and as provided in article 9.

8. The amendments made by paragraphs 4(4), 6, 8, 10, 12, 13, 14, 15, 17, 18, 24, 25, 31(2)(b), 31(3)(b), 32(2)(b), 32(3)(b), 33(2)(b), 33(3)(b), 37(2)(b), 38, 39(b), 41, 42, 43, 44, 45(2)(b), 47(2)(b), 47(3)(b), 48(2)(b), 48(3)(b), 50(2)(b), 50(3)(b), 51(2)(b), 51(3)(b), 52(2)(b), 52(3)(b), 54, 55 and 56 of Schedule 3 apply only in relation to a debt relief restrictions order, an interim debt relief restrictions order, a debt relief restrictions undertaking or interim debt relief restrictions undertaking where the order is made, or (as the case may be) the debtor gives the undertaking, after the coming into force of this Order.

9. In relation to paragraph 34(3)(b) of Schedule 2 and paragraphs 1, 7(b) and 40 of Schedule 3—
- (a) where the amendment applies in respect of a debt relief order, it applies only in relation to a debt relief order the application for which is made after the coming into force of this Order;
  - (b) where the amendment applies in respect of a debt relief restrictions order or interim debt relief restrictions order or a debt relief restrictions undertaking or interim debt relief restrictions undertaking, it applies only where the relevant order is made after the coming into force of this order or where the debtor gives the relevant undertaking after the coming into force of this order.

15th September 2012

*Jo Swinson*  
Parliamentary Under Secretary of State for  
Employment Relations and Consumer Affairs  
Department for Business, Innovation and Skills

## SCHEDULE 1

Article 3(1)

### Consequential amendment of Company Directors Disqualification Act 1986

1. In section 11 of the Company Directors Disqualification Act 1986, for subsection (2) substitute—

“(2) For this purpose, the court is—

- (a) in the case of a person adjudged bankrupt or, in Scotland, whose estate was sequestrated, the court by which the person was adjudged bankrupt or sequestration of the person’s estate was awarded,
- (b) in the case of a person in respect of whom a court made a debt relief restrictions order (under Schedule 4ZB of the Insolvency Act 1986), the court by which the order was made, and
- (c) in the case of any other person, the court to which the person would make an application under section 251M(1) of the Insolvency Act 1986 (if the person were dissatisfied as mentioned there).”.

## SCHEDULE 2

Article 3(2)

### Amendment of disqualification provision made by Act of Parliament

#### **Public Trustee Act 1906**

1. In section 13(4) of the Public Trustee Act 1906 **(5)** (investigation and audit of trust accounts), after “or dies,” insert “or has a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986).”.

#### **Agriculture Act 1947**

2. In paragraph 13(4) of Schedule 9 to the Agriculture Act 1947**(6)** (chairman of Agricultural Land Tribunal), after “creditors” insert “, or if a debt relief order (under Part 7A of the Insolvency Act 1986) is made in respect of the chairman”.

#### **Agriculture Act 1967**

3. In paragraph 6(a) of Part II of Schedule 5 to the Agriculture Act 1967**(7)** (constitution and procedure of boards), after “bankrupt or” insert “has had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986) or has”.

#### **Development of Tourism Act 1969**

4.—(1) Schedule 1 to the Development of Tourism Act 1969**(8)** (incorporation and status of Tourist Boards) is amended as follows.

(2) After paragraph 5(1)(b) insert —

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(5) 1906 c.55.

(6) 1947 c.48, Schedule 9, paragraph 13(4) amended by the Constitutional Reform Act 2005 (c.4), section 15(1), Schedule 4, part 1.

(7) 1967 c.22.

(8) 1969 c.51.

“(ba) has had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986); or”.

(3) After paragraph 5(2) insert —

“(3) In this paragraph, references to a member of the Board do not, in so far as subparagraph (1)(ba) applies, include persons who are members of VisitScotland.”

### **Local Government Act 1972**

5. In section 80(1)(b) of the Local Government Act 1972<sup>(9)</sup> (disqualifications for election etc), for “or interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986”.

### **Health and Safety at Work Act etc 1974**

6. In paragraph 5(b) of Schedule 2 to the Health and Safety at Work etc. Act 1974<sup>(10)</sup> (the Health and Safety Executive – terms of appointment), after “bankrupt or” insert “has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him or”.

### **Consumer Credit Act 1974**

7. In section 37(1)(b) of the Consumer Credit Act 1974<sup>(11)</sup> (death, bankruptcy etc of licensee), after “bankrupt” insert “or has a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986)”.

### **Solicitors Act 1974**

8.—(1) The Solicitors Act 1974 <sup>(12)</sup> is amended as follows.

(2) In section 15(1) (suspension of practising certificate), after “bankruptcy of a solicitor” insert “or the making of a debt relief order (under Part 7A of the Insolvency Act 1986) in respect of a solicitor”.

(3) In section 16 (duration of suspension)—

(a) after subsection (2) insert—

“(2A) The suspension of a practising certificate by virtue of section 15(1) by reason of the making of a debt relief order shall terminate—

(a) if the debt relief order is revoked on the ground mentioned in section 251L(2) (c) or (d) of the Insolvency Act 1986 and a copy of the notice provided to the debtor under Rule 5A.16 of the Insolvency Rules 1986 is served on the Society or the debt relief order is revoked by the court under section 251M(6)(e) of that Act and a copy of the court order is served on the Society;

(b) if the debt relief order is revoked and a period of one year has elapsed beginning with the effective date of that order. ”.

(b) in subsection (3)(b) after “bankruptcy” insert “or the making of a debt relief order (under Part 7A of the Insolvency Act 1986) in respect of him”.

<sup>(9)</sup> 1972 c.70, section 80(1)(b) was substituted by the Enterprise Act 2002 (c.40), section 267(1).

<sup>(10)</sup> 1974 c.37, Schedule 2 substituted by S.I. 2008/960 articles 3, 20 and Schedule 1.

<sup>(11)</sup> 1974 c.39.

<sup>(12)</sup> 1974 c.47.

### **Industry Act 1975**

9. In paragraph 6(1)(c) of Schedule 3 to the Industry Act 1975(13) (establishment of a tribunal), for “or an interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986”.

### **Estate Agents Act 1979**

10.—(1) Section 23 of the Estate Agents Act 1979(14) (bankrupts) is amended as follows.

(2) After subsection (1), insert—

“(1A) An individual in respect of whom a debt relief order (under Part 7A of the Insolvency Act 1986) is made shall not engage in estate agency work of any description except as an employee of another person”.

(3) After subsection (2), insert—

“(2A) The prohibition imposed on an individual by subsection (1A) shall cease to have effect if and when—

- (a) the debt relief order is revoked for reasons falling within section 251(L)(2)(a) or (c) of the Insolvency Act 1986;
- (b) the individual is discharged from all the qualifying debts specified under the debt relief order at the end of the moratorium period applicable to the order; or
- (c) the debt relief order is revoked and a period of one year has elapsed beginning with the effective date for the order.”.

(4) In subsection (3), for “The reference in subsection (1) above” substitute “The references in this section”.

(5) In subsection (4), for “of subsection (1) above” substitute “of this section”.

### **National Heritage Act 1980**

11. In Schedule 1 to the National Heritage Act 1980(15) (trustees of National Heritage Memorial Fund – tenure of office), after paragraph 3(4)(b) insert—

“(ba) he is a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986);”.

### **Local Government, Planning and Land Act 1980**

12. In paragraph 6(a) of Schedule 26 to the Local Government, Planning and Land Act 1980(16) (Urban Development Corporations – members), after “bankrupt or” insert “has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him or has”.

### **Public Passenger Vehicles Act 1981**

13.—(1) The Public Passenger Vehicles Act 1981(17) is amended as follows.

(2) In section 19, after subsection (3)(a) insert—

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(13) 1975 c.68, Schedule 3, paragraph 6(1)(c) amended by the Judicial Pensions Retirement Act 1993 (c.8) and S.I. 2006/1722 article 2(2), Schedule 2, part 1, paragraph 1(a).

(14) 1979 c.38.

(15) 1980 c.17.

(16) 1980 c.65.

(17) 1981 c.14, section 57(2) amended by the Transport Act 1985 (c. 67), sections 1, 139(3), Schedule 1 paragraph and Schedule 8.

“(aa) the making of a debt relief order in respect of the holder (under Part 7A of the Insolvency Act 1986); or”.

(3) In section 57(2)(b) (death, bankruptcy etc of licence holder), after “bankrupt or” insert “has a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him, or”.

#### **Fisheries Act 1981**

**14.** In Schedule 1 to the Fisheries Act 1981(**18**) (the Sea Fish Industry Authority – members), after paragraph 5(b) insert—

“(ba) a moratorium period under a debt relief order applies in relation to him (under Part 7A of the Insolvency Act 1986);”.

#### **Transport Act 1981**

**15.** In paragraph 3(2)(a) of Schedule 2 to the Transport Act 1981(**19**) (Associated British Ports - resignation and vacation of office), for “or an interim order” substitute “, an interim bankruptcy restrictions order, a debt relief restrictions order or an interim debt relief restrictions order (under Schedule 4ZB of the Insolvency Act 1986)”.

#### **New Towns Act 1981**

**16.** In paragraph 5(a) of Schedule 3 to the New Towns Act 1981(**20**) (development corporations – appointment and tenure of members), after “creditors” insert “or has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him”.

#### **Civil Aviation Act 1982**

**17.** In paragraph 5(1)(b) of Schedule 1 to the Civil Aviation Act 1982(**21**) (Civil Aviation Authority – appointment and tenure of members), after “bankrupt or” insert “has had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986), or has”.

#### **National Heritage Act 1983**

**18.** In paragraph 3(7)(b) of Schedule 3 to the National Heritage Act 1983(**22**) (the Historic Buildings and Monuments Commission for England – membership), after “bankrupt or” insert “has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him or has”.

#### **Local Government Act 1985**

**19.** In paragraph 2(3)(a) of Schedule 13 to the Local Government Act 1985(**23**) (residuary bodies – tenure of office of members), after “bankrupt or” insert “has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him or”.

#### **Administration of Justice Act 1985**

**20.**—(1) The Administration of Justice Act 1985(**24**) is amended as follows.

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(18) 1981 c.29.

(19) 1981 c.56, Schedule 2, paragraph 3(2)(a) amended by S.I. 2006/1722, article 2(2), Schedule 2, part 1, paragraph 3(b).

(20) 1981 c.64.

(21) 1982 c.16.

(22) 1983 c.47.

(23) 1985 c.51.

(24) 1985 c.61, section 16(4) amended by the Legal Services Act 2007 (c.29), section 182, Schedule 17, part 1, paragraph 1, 5(1), (3)(b).

- (2) In section 16 (conditional licences)—
- (a) in subsection (1)—
- (i) after paragraph (f), insert—
- “(fa) while a moratorium under a debt relief order applies in relation to him (under Part 7A of the Insolvency Act 1986);”;
- (ii) after paragraph (g), insert—
- “(ga) after a debt relief order has been made in respect of him and at the end of the moratorium period applicable to the order he has been discharged from all the qualifying debts specified in the order;”;
- (b) in subsection (4)—
- (i) after “(f)” insert “(fa)”;
- (ii) after “(g)” insert “(ga)”.
- (3) In section 18 (suspension or termination of licences)—
- (a) in subsection (1)—
- (i) after “licensed conveyancer” insert “or a debt relief order (under Part 7A of the Insolvency Act 1986) is made in respect of a licensed conveyancer”; and
- (ii) after “any such adjudication” insert “or any such order”;
- (b) after subsection (2) insert—
- “(2ZA) The suspension of a licence by virtue of subsection (1) shall terminate—
- (a) if the debt relief order is revoked for reasons falling within section 251L(2)(d) of the Insolvency Act 1986 and a copy of the notice of the decision to revoke given to the debtor pursuant to Rule 5A.16 of the Insolvency Rules 1986 is provided to the Council or the debt relief order is revoked by the court under section 251M(e) and a copy of the order is provided to the Council; or
- (b) if the debt relief order is revoked and a period of one year has elapsed beginning with the effective date of the order”.

### **Housing Act 1985**

**21.** In section 121(2) of the Housing Act 1985(**25**) (circumstances in which the right to buy cannot be exercised)—

- (a) at the end of paragraph (c) omit “or”,
- (b) after paragraph (d) insert—
- “or
- (e) is a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986).”.

### **Animals (Scientific Procedures) Act 1986**

**22.** In section 19(7)(b) of the Animals (Scientific Procedures) Act 1986(**26**) (member of Animal Procedures Committee), after “bankrupt or”, insert “a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies in relation to him or her”.

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(25) 1985 c.68.

(26) 1986 c.14.

**Insolvency Act 1986**

**23.** In section 389A(3) of the Insolvency Act 1986(**27**) (authorisation of nominees and supervisors), after paragraph (a) insert—

“(aa) a moratorium period under a debt relief order applies in relation to him (under Part 7A of this Act),”.

**Criminal Justice Act 1988**

**24.**—(1) The Criminal Justice Act 1988(**28**) is amended as follows.

(2) In section 172(3) (extent), after “section 133 to 133B” insert “, with the exception of paragraph 5(ba) of Schedule 12 which extends to England and Wales and Scotland only”.

(3) In Schedule 12 (assessors for compensation for miscarriages of justice), after paragraph 5(b) insert—

“(ba) a debt relief order (under Part 7A of the Insolvency Act 1986) has been made in respect of him;”.

**Housing Act 1988**

**25.** In paragraph 6(a) of Schedule 7 to the Housing Act 1988(**29**) (Housing Action Trusts – constitution), after “creditors” insert “or has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him”.

**Human Fertilisation and Embryology Act 1990**

**26.** In paragraph 4A(1)(a) of Schedule 1 to the Human Fertilisation and Embryology Act 1990(**30**) (disqualification for being appointed to Authority), for “or interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986”.

**Environmental Protection Act 1990**

**27.** In paragraph 6(a) of Schedule 6 to the Environmental Protection Act 1990(**31**) (the Countryside Council for Wales – constitution and membership), after “bankrupt or” insert “had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him or”.

**Trade Union and Labour Relations (Consolidation) Act 1992**

**28.**—(1) The Trade Union and Labour Relations (Consolidation) Act 1992(**32**) is amended as follows.

(2) In section 249(5)(b) (terms of appointment of members of the Council of the Advisory, Conciliation and Arbitration Service), after “bankrupt or” insert “has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him or has”.

(3) In section 261(5)(a) (terms of appointment of members of the Central Arbitration Committee), after “bankrupt or” insert “has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him or has”.

(27) 1986 c.45, section 389A inserted by the Insolvency Act 2000 (c.39), sections 4(1) and (4).

(28) 1988 c.33, section 172(3) amended by the Offensive Weapons Act 1996 (c.26), section 4(2).

(29) 1988 c.50.

(30) 1990 c.37, paragraph 4A inserted by the Human Fertilisation and Embryology Act 2008 (c.22), section 5, Schedule 1.

(31) 1990 c.43.

(32) 1992 c.52.

### **National Lottery etc Act 1993**

**29.**—(1) The National Lottery etc Act 1993(**33**) is amended as follows.

(2) In paragraph 3(5)(b) of Schedule 2A (National Lottery Commission – tenure of office), after “his creditors,” where it occurs for the first time, insert “has had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986),”.

(3) In paragraph 4(1)(a) of Schedule 4A (Big Lottery Fund – tenure of membership), after “against him,” insert “or a debt relief order has been made in respect of him (under Part 7A of the Insolvency Act 1986),”.

### **Coal Industry Act 1994**

**30.** In paragraph 1(4)(b) of Schedule 1 to the Coal Industry Act 1994(**34**) (membership of the Coal Authority), after “sequestrated” insert “, that a debt relief order has been made in respect of him”.

### **Trade Marks Act 1994**

**31.** In section 77(3)(c)(i) of the Trade Marks Act 1994(**35**) (persons appointed to hear and determine appeals), after “bankrupt or” insert “a debt relief order (under Part 7A of the Insolvency Act 1986) has been made in respect of him or he has”.

### **Goods Vehicles (Licensing of Operators) Act 1995**

**32.** In section 26(1)(g) of the Goods Vehicles (Licensing of Operators) Act 1995(**36**) (revocation, suspension and curtailment of operators’ licences), after “bankrupt” insert “or has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him”.

### **Environment Act 1995**

**33.**—(1) The Environment Act 1995(**37**) is amended as follows.

(2) In paragraph 1(3)(b) of Schedule 1 (the Environment Agency – membership), after “bankrupt,” insert “that a debt relief order (under Part 7A of the Insolvency Act 1986) has been made in respect of him,”.

(3) In paragraph 7(b) of Schedule 6 (the Scottish Environment Protection Agency – membership), after “bankrupt,” insert “has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him,”.

### **Pensions Act 1995**

**34.**—(1) The Pensions Act 1995(**38**) is amended as follows.

(2) In section 4 (suspension Orders)—

(a) in subsection (1)(c) after “concluded”, insert “or an application has been made by him for a debt relief order (under Part 7A of the Insolvency Act 1986) and the application has not been determined”;

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(33) 1993 c.39, Schedule 2A inserted by the National Lottery Act 1998 (c.22), section 1(5), Schedule 1, paragraph 7; Schedule 4A inserted by the National Lottery Act 2006, section 14(2), Schedule 2; paragraph 4 (1) of Schedule 4A amended by S.I. 2011/739.

(34) 1994 c.21.

(35) 1994 c.26.

(36) 1995 c.23.

(37) 1995 c.25.

(38) 1995 c.26, section 4(2) amended the Pensions Act 2004 (c.35), section 34(b); section 29(1)(b) amended by S.I. 2006/1722.

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

- (b) in subsection (2)(b) after “concluded” insert “or, in the case of an application for a debt relief order, the application is determined”.
- (3) In section 29 (persons disqualified for being trustees) in subsection (1)—
  - (a) in paragraph (b), after “interim”, insert “bankruptcy restrictions”;
  - (b) after paragraph (b) insert—
    - “(ba) a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies in relation to him or he is the subject of a debt relief restrictions order or an interim debt relief restrictions order (under Schedule 4ZB of the Insolvency Act 1986).”.

### **Employment Tribunals Act 1996**

**35.** In section 25(4)(b) of the Employment Tribunals Act 1996(**39**) (tenure of appointed members), after “bankrupt or” insert “had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him or has”.

### **Housing Act 1996**

**36.** In paragraph 4(2)(a) of Schedule 1 to the Housing Act 1996(**40**) (registered social landlord – power to remove director, trustee, member etc.), after “bankrupt or” insert “a debt relief order (under Part 7A of the Insolvency Act 1986) has been made in respect of him, or he”.

### **Public Processions (Northern Ireland) Act 1998**

**37.** In paragraph 3(4)(b) of Schedule 1 to the Public Processions (Northern Ireland) Act 1998(**41**), after “bankrupt or” insert “a debt relief order (under Part 7A of the Insolvency Act 1986) has been made in respect of him or he has”.

### **Bank of England Act 1998**

**38.**—(1) The Bank of England Act 1998(**42**) is amended as follows.

(2) In paragraph 8(b) of Schedule 1 (Court of directors – removal from office), after “bankrupt” insert “, that a debt relief order (under Part 7A of the Insolvency Act 1986) has been made in respect of him”.

(3) In paragraph 9(1)(b) of Schedule 3 (Monetary Policy Committee – removal of appointed members), after “bankrupt” insert “, that a debt relief order (under Part 7A of the Insolvency Act 1986) has been made in respect of him”.

### **Audit Commission Act 1998**

**39.** In paragraph 4(4)(a) of Schedule 1 to the Audit Commission Act 1998(**43**) (the Audit Commission – tenure of office), after “creditors” insert “, or has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him”.

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(39) 1996 c.17.

(40) 1996 c.52, Schedule 1, paragraph 4 amended by Housing (Wales) Measure 2011 (c.5), section 84; Schedule 1, paragraph 4(2) amended by the Housing Regeneration Act 2008 (c.17), section 61.

(41) 1998 c.2.

(42) 1998 c.11.

(43) 1998 c.18.

### **National Minimum Wage Act 1998**

**40.** In paragraph 1(6)(a) of Schedule 1 to the National Minimum Wage Act 1998(**44**) (Low Pay Commission – membership), after “bankrupt,” insert “has had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986),”.

### **Access to Justice Act 1999**

**41.** In paragraph 5(a) of Schedule 1 to the Access to Justice Act 1999(**45**) (Legal Services Commission - Tenure of members), after “creditors” insert “or has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him”.

### **Greater London Authority Act 1999**

**42.** In section 21(1)(c) of the Greater London Authority Act 1999(**46**) (disqualification from being the Mayor or an Assembly member), for “or an interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986”.

### **Food Standards Act 1999**

**43.** In paragraph 4(a) of Schedule 1 to the Food Standards Act 1999(**47**) (Food Standards Agency – tenure of office of members), after “bankrupt,” insert “has had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986),”.

### **Political Parties, Elections and Referendums Act 2000**

**44.** In paragraph 3 of Schedule 1 to the Political Parties, Elections and Referendums Act 2000(**48**) (the Electoral Commission – tenure of office)—

(a) after sub-paragraph (5) (d) insert—

“(da) a moratorium period under a debt relief order applies in relation to him (under Part 7A of the Insolvency Act 1986);”;

(b) after sub-paragraph (8) insert—

“(9) In this paragraph, sub-paragraph (5)(da) does not extend to Gibraltar.”.

### **Private Security Industry Act 2001**

**45.** In paragraph 3(1)(d) of Schedule 1 to the Private Security Industry Act 2001(**49**) (the Security Industry Authority – membership), after sub-paragraph (d) insert—

“(da) a moratorium period under a debt relief order applies in relation to him (under Part 7A of the Insolvency Act 1986),”.

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(44) 1998 c.39.

(45) 1999 c.22, Schedule 1, paragraph 5 amended by S.I. 2005/3429, article 8, Schedule, paragraph 4(a).

(46) 1999 c.29, section 21(1)(c) substituted by S.I. 2006/1722, article 2(2), Schedule 2, part 1, paragraph 6(a).

(47) 1999 c.28.

(48) 2000 c.41.

(49) 2001 c.12, Schedule 1, paragraph 3(1) amended by the Serious Organised Crime and Police Act 2006 (c15), section 171(1), schedule 15, paragraphs 1, 13(b).

### Office of Communications Act 2002

46. In paragraph 2(4)(a) of the Schedule to the Office of Communications Act 2002(50) (the Office of Communications – membership), after “bankrupt” insert “or a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986),”.

### Education Act 2002

47. In paragraph 4(a) of Schedule 11 to the Education Act 2002(51) (school teachers’ review body – membership), after “bankrupt” insert “or has a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986)”.

### Railways and Transport Safety Act 2003

48.—(1) The Railways and Transport Safety Act 2003(52) is amended as follows.

(2) In paragraph 2(c) of Schedule 1 (dismissal of member of Office of Rail Regulation), for “(or interim order)” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986”.

(3) In paragraph 7(3)(a) of Schedule 4 (British Transport Police Authority – disqualification), for “(or interim order)” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986”.

### Local Government Act 2003

49. In paragraph 2(1)(b) of Schedule 4 to the Local Government Act 2003(53) (disqualification for being appointed member of Valuation Tribunal Service), for “or interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986”.

### Energy Act 2004

50.—(1) The Energy Act 2004(54) is amended as follows.

(2) In paragraph 1(7) of Schedule 1 (Nuclear Decommissioning Authority – tenure of office)—

(a) in paragraph (a), after “discharged”, insert “or a moratorium period under a debt relief order applies in relation to him (under Part 7A of the Insolvency Act 1986)”; and

(b) in paragraph (b), at the end, insert “or a debt relief restrictions order or an interim debt relief restrictions order (under Schedule 4ZB of the Insolvency Act 1986)”.

(3) In paragraph 2(6) of Schedule 10 (Civil Nuclear Police Authority – terms of appointment)—

(a) in paragraph (a), after “discharged”, insert “or a moratorium period under a debt relief order applies in relation to him (under Part 7A of the Insolvency Act 1986)”; and

(b) in paragraph (b), at the end, insert “or a debt relief restrictions order or an interim debt relief restrictions order (under Schedule 4ZB of the Insolvency Act 1986)”.

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(50) 2002 c.11.

(51) 2002 c.32.

(52) 2003 c.20.

(53) 2003 c.26.

(54) 2004 c.20.

## **Human Tissue Act 2004**

**51.** In paragraph 3(1)(a) of Schedule 2 to the Human Tissue Act 2004<sup>(55)</sup> (Human Tissue Authority - disqualification), for “or interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986”.

## **Constitutional Reform Act 2005**

**52.**—(1) The Constitutional Reform Act 2005<sup>(56)</sup> is amended as follows.

(2) In paragraph 15(2)(c) of Schedule 12 (Judicial Appointments Commission), after “undischarged bankrupt” insert “or a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986)”.

(3) In paragraph 5(2)(e) of Schedule 13 (Judicial Appointments and Conduct Ombudsman), after “undischarged bankrupt” insert “or a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986)”.

## **Mental Capacity Act 2005**

**53.**—(1) The Mental Capacity Act 2005<sup>(57)</sup> is amended as follows.

(2) In section 10(2) (appointment of donees) after “bankrupt” insert “or is a person in relation to whom a debt relief order is made”.

(3) In section 13 (revocation of lasting power of attorney)—

- (a) in subsection (3) after “bankruptcy” insert “, or the making of a debt relief order (under Part 7A of the Insolvency Act 1986) in respect of P,”;
- (b) in subsection (4) after “in respect of him” insert “or where P is subject to an interim debt relief restrictions order (under Schedule 4ZB of the Insolvency Act 1986)”;
- (c) in subsection (6)(b) after “donee” where it first appears insert “or the making of a debt relief order (under Part 7A of the Insolvency Act 1986) in respect of the donee”;
- (d) in subsection (8) after “donee” insert “or the making of a debt relief order (under Part 7A of the Insolvency Act 1986) in respect of a donee”;
- (e) in subsection (9) after “him” insert “or where the donee is subject to an interim debt relief restrictions order (under Schedule 4ZB of the Insolvency Act 1986),”.

(4) In section 64 (interpretation)—

(a) after subsection (3) insert—

“(3A) In this Act references to a debt relief order (under Part 7A of the Insolvency Act 1986) being made in relation to an individual include a case where a debt relief restrictions order under the Insolvency Act 1986 has effect in respect of him.”;

(b) after subsection (4) insert—

“(4A) “Debt relief restrictions order” includes an interim debt relief restrictions order.”.

(5) In paragraph 17(1)(a) of Schedule 1 (lasting powers of attorney: formalities) after “bankruptcy” insert “or a debt relief order (under Part 7A of the Insolvency Act 1986) having been made in respect of the donor”.

(6) In Schedule 4 (provisions applying to existing enduring powers of attorney)—

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<sup>(55)</sup> 2004 c.30.

<sup>(56)</sup> 2005 c.4.

<sup>(57)</sup> 2005 c.9.

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

- (a) in paragraph 2(5)(a) after “bankrupt” insert “or is not subject to a debt relief order (under Part 7A of the Insolvency Act 1986)”;
- (b) in paragraph 2(7) after “attorney” insert “or the making of a debt relief order (under Part 7A of the Insolvency Act 1986) in respect of the donor or attorney”;
- (c) in paragraph 2(8) after “him” insert “or where the donor or attorney is subject to an interim debt relief restrictions order”;
- (d) in paragraph 17(b) after “attorney” where it first appears insert “or the making of a debt relief order (under Part 7A of the Insolvency Act 1986) in respect of the donor or attorney”;
- (e) in paragraph 22—
  - (i) after sub-paragraph (1) insert—
 

“(1A) In paragraph 2(7), the reference to the making of a debt relief order (under Part 7A of the Insolvency Act 1986) in respect of the attorney is to be read as a reference to the making of a debt relief order in respect of the last remaining attorney under the power; and the making of a debt relief order in respect of any other attorney under the power causes that person to cease to be an attorney under the power.”;
  - (ii) after sub-paragraph (2) insert—
 

“(2A) In paragraph 2(8), the reference to the suspension of the power is to be read as a reference to its suspension in so far as it relates to the attorney in respect of whom the interim debt relief restrictions order has effect.”.

### **Serious Organised Crime and Police Act 2005**

**54.**—(1) Paragraph 4 of Schedule 1 to the Serious Organised Crime and Police Act 2005(**58**) (Serious Organised Crime Agency –removal from office) is amended as follows.

(2) In sub-paragraph (d), after “discharged” insert “or a moratorium period under a debt relief order applies in relation to him (under Part 7A of the Insolvency Act 1986)”.

(3) After sub-paragraph (e), insert—

“(ea) he is the subject of a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986.”.

### **Gambling Act 2005**

**55.**—(1) The Gambling Act 2005(**59**) is amended as follows—

(2) In section 114(1)(c) (lapse), after “(c45),” insert “or a debt relief order is made in respect of the licensee (under Part 7A of the Insolvency Act 1986),”.

(3) In section 194(1)(c) (lapse), after “(c45),” insert “or a debt relief order is made in respect of the licensee (under Part 7A of the Insolvency Act 1986),”.

(4) In paragraph 15(1)(c) of Schedule 10 (family entertainment centre gaming machine permits), after “(c45),” insert “or a debt relief order is made in respect of him (under Part 7A of the Insolvency Act 1986)”.

(5) In paragraph 15(1)(c) of Schedule 14 (prize gaming permits), after “(c45),” insert “or a debt relief order is made in respect of him, (under Part 7A of the Insolvency Act 1986)”.

(58) 2005 c.15.

(59) 2005 c.19, section 114 modified by S.I. 2006/3267, article 2(2), Schedule, Table 2.

### **Natural Environment and Rural Communities Act 2006**

**56.**—(1) The Natural Environment and Rural Communities Act 2006(**60**) is amended as follows.

(2) In paragraph 7(b) of Schedule 1 (Natural England – removal from office), after “bankrupt” insert “or has had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986)”.

(3) In paragraph 7(b) of Schedule 2 (Commission for Rural Communities – removal from office), after “bankrupt” insert “or has had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986)”.

(4) In paragraph 6(b) of Schedule 4 (Joint Nature Conservation Committee – removal from office), after “bankrupt” insert “or had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986)”.

### **National Health Service Act 2006**

**57.** In paragraph 8(1) of Schedule 7 to the National Health Service Act 2006(**61**) (Public Benefit Corporations – constitution), after paragraph (a) insert “(aa) a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986)”.

### **Safeguarding Vulnerable Groups Act 2006**

**58.**—(1) Paragraph 2(4) of Schedule 1 to the Safeguarding Vulnerable Groups Act 2006(**62**) (Independent Barring Board – tenure of office) is amended as follows.

(2) after paragraph (c) insert—

“(ca) a moratorium period under a debt relief order applies in relation to him (under Part 7A of the Insolvency Act 1986);”.

(3) after paragraph (d) insert—

“(da) he is the subject of a debt relief restrictions order or an interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act (c45);”.

### **Armed Forces Act 2006**

**59.**—(1) The Armed Forces Act 2006(**63**) is amended as follows.

(2) In section 384 (extent to Channel Islands, Isle of Man and British overseas territories) after sub-paragraph (2) insert—

“(3) Paragraph 5(ba) of Schedule 9 does not extend to the Isle of Man or the British overseas territories.”.

(3) In Schedule 9 (assessors of compensation – removal from office)—

(a) at the end of sub-paragraph 5(b) omit “or”;

(b) after sub-paragraph 5(b) insert—

“(ba) has had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986); or”.

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(60) 2006 c.16.

(61) 2006 c.41, Schedule 7, paragraph 8(1) amended by the Health and Social Care Act 2012 (c.7), section 151(9)(b).

(62) 2006 c.47.

(63) 2006 c.52, repealed by Armed Forces Act 2006 (c.52), Part 19 section 382(2) and continued by S.I. 2007/2123, S.I. 2008/1780, S.I. 2009/1752 and S.I. 2010/2475.

### **Statistics and Registration Service Act 2007**

**60.** In section 4(4)(b) of the Statistics and Registration Service Act 2007(**64**) (Statistics Board - appointment), for “(or interim order)” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986”.

### **Legal Services Act 2007**

**61.**—(1) The Legal Services Act 2007(**65**) is amended as follows.

(2) In paragraph 7(3)(c) of Schedule 1 (Legal Services Board – removal from office), after “bankrupt” insert “or is a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986)”.

(3) In paragraph 8(2)(c) of Schedule 15 (Office for Legal Complaints – removal from office), after “bankrupt” insert “or is a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986)”.

### **Charities Act 2011**

**62.**—(1) The Charities Act 2011(**66**) is amended as follows.

(2) In section 80(1)(a)(other powers to remove or appoint charity trustee) after sub-paragraph (ii) insert—

“; or

(iii) having previously been the subject of a debt relief order, has been discharged from all the qualifying debts under the debt relief order;”.

(3) In section 178 (persons disqualified for being charity trustees or trustees of a charity), in subsection (1) after Case F insert—

“*Case G*

P is subject to—

- (a) a moratorium period under a debt relief order under Part 7A of the Insolvency Act 1986; or
- (b) a debt relief restrictions order or interim order under Schedule 4ZB to that Act”.

(4) In section 180(1) (disqualification: exception in relation to charitable companies), after “Case B” insert “or G”.

(5) In section 183(2)(b) (criminal consequences of acting while disqualified) for “or F” substitute “, F or G”.

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(64) 2007 c.18.

(65) 2007 c.29.

(66) 2011 c.25.

## SCHEDULE 3

Article 3(3)

### Amendment of disqualification provision made under an Act of Parliament

#### **Registration of Births, Deaths and Marriages Regulations 1968**

1. In regulation 5(a)(i) of the Registration of Births, Deaths and Marriages Regulations 1968(67) (disqualifications for appointment) after sub-paragraph (a)(i) insert—

“(ia) if he is a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986), or he is the subject of a debt relief restrictions order or an interim debt relief restrictions order (under Schedule 4ZB of the Insolvency Act 1986);”

#### **British Shipbuilders Regulations 1977**

2. In regulation 4(1)(b) of the British Shipbuilders Regulations 1977(68) (vacation of office as a member), after “bankrupt” insert “, or had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986)”.

#### **Motor Vehicles (Tests) Regulations 1981**

3. In regulation 9(1)(b) of the Motor Vehicles (Tests) Regulations 1981(69) (cessations: general), after “bankrupt” insert “, or has a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986)”.

#### **Insolvency (Scotland) Rules 1986**

4.—(1) The Insolvency (Scotland) Rules 1986(70) are amended as follows.

(2) In Rule 1.6(2)(b), after “with his creditors” add “or had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986)”.

(3) In Rule 2.36H (4)—

(a) In sub-paragraph (f) after “undischarged bankrupt” insert “or a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986)”;

(b) in sub-paragraph (g) after “interim bankruptcy restrictions order;” omit “or”;

(c) after sub-paragraph (g) insert—

“(ga) a person who is subject to a debt relief restrictions order, a debt relief restrictions undertaking or interim debt relief restrictions order (under Schedule 4ZB to the Insolvency Act 1986); or”.

(4) In Rule 2.36J (a), after “bankrupt” insert “or has a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986)”.

(5) In Rule 4.48(4), after “undischarged bankrupt” add “or by a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986)”.

(6) In Rule 4.50(a), after “bankrupt” insert “or has a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986)”.

(67) S.I. 1968/2049, amended by S.I. 2006/1722; there are other amending instruments but none is relevant.

(68) S.I. 1977/626.

(69) S.I. 1981/1694, substituted by S.I. 2003/1113; there are other amending instruments but none is relevant.

(70) S.I. 1986/1915, amended by S.I. 2010/688; there are other amending instruments but none is relevant.

### **Insolvency Rules 1986**

5.—(1) The Insolvency Rules 1986(71) are amended as follows.

(2) In paragraph (1)(a) in each of rules 2.57, 3.23, 4.161 and 6.158 (termination of membership – automatic termination), after “bankrupt” insert “or has a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986)”.

(3) In paragraph (4)(d) in each of rules 2.55, 3.21, 4.159 and 6.156 (committee-members’ representatives), after “undischarged bankrupt” insert “or a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986)”.

### **National Health Service Trusts (Membership and Procedure) Regulations 1990**

6. In regulation 11(1)(b) of the National Health Service Trusts (Membership and Procedure) Regulations 1990(72) (disqualification for appointment), for “or an interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986”.

### **Air Passenger Duty Regulations 1994**

7. In regulation 7(2)(d) (ceasing to act as a fiscal representative) of the Air Passenger Duty Regulations 1994(73)—

(a) after “or an interim order;” omit “or”.

(b) after sub-paragraph (d) insert—

“(da) has a debt relief order made in respect of him or is the subject of a debt relief restrictions order or an interim order (under Part 7A of and Schedule 4ZB to the Insolvency Act 1986); or”.

### **National Health Service Litigation Authority Regulations 1995**

8. In regulation 7(1)(b) of the National Health Service Litigation Authority Regulations 1995(74) (disqualification for appointment), for “or an interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986”.

### **Goods Vehicles (Licensing of Operators) Regulations 1995**

9. In regulation 31(2)(c) of the Goods Vehicles (Licensing of Operators) Regulations 1995(75) (continuance of licence on death, bankruptcy etc), after “licence” insert “or the making of a debt relief order in respect of the actual holder of a licence (under Part 7A of the Insolvency Act 1986)”.

### **Health Authorities (Membership and Procedure) Regulations 1996**

10. In regulation 10(1)(b) of the Health Authorities (Membership and Procedure) Regulations 1996(76)(disqualification for appointment), for “or an interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986”.

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(71) S.I. 1986/1925, amended by S.I. 1987/1919 and S.I. 2004/584 and S.I. 2010/686; there are other amending instruments but none is relevant.

(72) S.I. 1990/2024, amended by S.I. 2006/1722; there are other amending instruments but none is relevant.

(73) S.I. 1994/1738, amended by S.I. 2006/1722; there are other amending instruments but none is relevant.

(74) S.I. 1995/2801, amended by S.I. 2006/1722; there are other amending instruments but none is relevant.

(75) S.I. 1995/2869.

(76) S.I. 1996/707, amended by S.I. 2006/1722; there are other amending instruments but none is relevant.

### **Individual Savings Account Regulations 1998**

11. In regulation 20(1)(b) of the Individual Savings Account Regulations 1998(77) (account manager ceasing to qualify), after sub-paragraph (b) insert—

“(ba) a debt relief order is made in respect of the person (under Part 7A of the Insolvency Act 1986) or;”.

### **National Institute for Clinical Excellence Regulations 1999**

12. In regulation 5(1)(b) of the National Institute for Clinical Excellence Regulations 1999(78) (disqualification for appointment), after “or an interim bankruptcy restrictions order” add “or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986”.

### **Primary Care Trusts (Membership, Procedure and Administration Arrangements) Regulations 2000**

13. In regulation 5(1)(b) of the Primary Care Trusts (Membership, Procedure and Administration Arrangements) Regulations 2000(79) (disqualification for appointment: chairman and non-officer members), for “or an interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986”.

### **Education (Foundation Body) (England) Regulations 2000**

14. In paragraph 2(b) of Schedule 4 to the Education (Foundation Body) (England) Regulations 2000(80) (disqualification for holding office), for “or an interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986”.

### **National Treatment Agency Regulations 2001**

15. In regulation 3(1)(b) of the National Treatment Agency Regulations 2001(81) (disqualification for appointment), for “or an interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986”.

### **Prison Service (Pay Review Body) Regulations 2001**

16. In paragraph 1(4)(a) of the Schedule to the Prison Service (Pay Review Body) Regulations 2001(82) (constitution of the pay review body), after “has become bankrupt” insert “, or had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986),”.

### **National Patient Safety Agency Regulations 2001**

17. In regulation 3(1)(b) of the National Patient Safety Agency Regulations 2001(83) (disqualification for appointment), for “ or an interim order” substitute “or an interim bankruptcy

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(77) S.I. 1998/1870, amended by S.I. 2011/1780; there are other amending instruments but none is relevant.

(78) S.I. 1999/260, amended by S.I. 2005/498; there are other amending instruments but none is relevant.

(79) S.I. 2000/89, amended by S.I. 2005/498; there are other amending instruments but none is relevant.

(80) S.I. 2000/2872, amended by S.I. 2006/1722; there are other amending instruments but none is relevant.

(81) S.I. 2001/715, amended by S.I. 2006/1722; there are other amending instruments but none is relevant.

(82) S.I. 2001/1161.

(83) S.I. 2001/1742, amended by S.I. 2006/1722; there are other amending instruments but none is relevant.

restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986”.

### **General Social Care Council (Appointments and Procedure) Regulations 2001**

**18.**—(1) The General Social Care Council (Appointments and Procedure) Regulations 2001(**84**) are amended as follows.

(2) In regulation 4(1)(d) (disqualification for appointment) for “or an interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986”.

(3) In regulation 6(6) (termination of tenure of office) for “or an interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986”.

### **Care Council for Wales (Appointment, Membership and Procedure) Regulations 2001**

**19.**—(1) The Care Council for Wales (Appointment, Membership and Procedure) Regulations 2001(**85**) are amended as follows.

(2) In regulation 5(1)(g) (disqualification from appointment) of the English language text of those Regulations, after “bankrupt” insert “, or has a debt relief order made in respect of him or her (under Part 7A of the Insolvency Act 1986),”.

(3) In regulation 5(1)(g) of the Welsh language text of those Regulations (Rheoliadau Cyngor Gofal Cymru (Penodi, Aelodaeth a Gweithdrefn) 2001), after “fethdalwr” insert “, neu os yw gorchymyn rhyddhau o ddyled wedi ei wneud mewn perthynas ag ef (o dan Rhan 7A o Ddeddf Ansolfedd 1986),”.

### **Children’s Homes Regulations 2001**

**20.** In regulation 6(5)(a) of the Children’s Homes Regulations 2001(**86**) (fitness of registered provider)—

- (a) after “awarded” insert “or a moratorium period under a debt relief order (within the meaning of section 251A of the Insolvency Act 1986) applies in relation to him”;
- (b) omit “(in either case)”; and
- (c) after “discharged” insert “from the bankruptcy or the sequestration”.

### **Care Homes (Wales) Regulations 2002**

**21.**—(1) The Care Homes (Wales) Regulations 2002(**87**) are amended as follows.

(2) In regulation 7(6)(a) (fitness of registered provider) of the English language text of those Regulations—

- (a) after “awarded” insert “or a moratorium period under a debt relief order (within the meaning of section 251A of the Insolvency Act 1986) applies in relation to him or her”;
- (b) omit “(in either case)”; and
- (c) after “discharged” insert “from the bankruptcy or the sequestration”.

(84) S.I. 2001/1744, amended by S.I. 2006/1722; there are other amending instruments but none is relevant.

(85) S.I. 2001/2136.

(86) S.I. 2001/3967.

(87) S.I. 2002/324, amended by S.I. 2011/1016; there are other amending instruments but none is relevant.

(3) In regulation 7(6)(a) of the Welsh language text of those Regulations (Rheoliadau Cartrefi Gofal (Cymru) 2002),—

- (a) after “ystâd” insert “neu os yw cyfnod moratoriwm o dan orchymyn rhyddhau o ddyled (o fewn ystyr adran 251A o Ddeddf Ansolfedd 1986) yn gymwys mewn perthynas ag ef”;
- (b) omit “(yn y naill achos neu’r llall)”;
- (c) after “ryddhau” insert “rhag y methdaliad neu’r atafaeliad”.

### **Children’s Homes (Wales) Regulations 2002**

**22.**—(1) The Children’s Homes (Wales) Regulations 2002(**88**) are amended as follows.

(2) In regulation 6(5)(a) (fitness of registered provider) of the English language text of those Regulations—

- (a) after “awarded” insert “or a moratorium period under a debt relief order (within the meaning of section 251A of the Insolvency Act 1986) applies in relation to him or her”;
- (b) omit “(in either case)”;
- (c) after “discharged” insert “from the bankruptcy or the sequestration”.

(3) In regulation 6(5)(a) of the Welsh language text of those Regulations (Rheoliadau Cartrefi Plant (Cymru) 2002)—

- (a) after “ystad” insert “neu os yw cyfnod moratoriwm o dan orchymyn rhyddhau o ddyled (o fewn ystyr adran 251A o Ddeddf Ansolfedd 1986) yn gymwys mewn perthynas ag ef”;
- (b) omit “(yn y naill achos neu’r llall)”;
- (c) after “ryddhau” insert “rhag y methdaliad neu’r atafaeliad”.

### **Registration of Social Care and Independent Health Care (Wales) Regulations 2002**

**23.** In paragraph 3(b) of Schedule 1 to the Registration of Social Care and Independent Health Care (Wales) Regulations 2002(**89**) (information to be supplied on an application for registration as a person who carries on an establishment or agency), after “bankrupt,” insert “or has a debt relief order made in respect of him or her (under Part 7A of the Insolvency Act 1986),”.

### **School Companies Regulations 2002**

**24.** In paragraph 1(b) of Schedule 1 to the School Companies Regulation 2002(**90**) (individuals who cannot be members of a school company), for “or an interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986.”.

### **School Companies (Private Finance Initiative Companies) Regulations 2002**

**25.** In paragraph 1(b) to the Schedule to the School Companies (Private Finance Initiative Companies) Regulations 2002(**91**) (individuals who cannot be members of a school PFI company), for “or an interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986”.

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(88) S.I. 2002/327.

(89) S.I. 2002/919.

(90) S.I. 2002/2978, amended by S.I. 2006/2198; there are other amending instruments but none is relevant.

(91) S.I. 2002/3177, amended by S.I. 2006/2198; there are other amending instruments but none is relevant.

### **Residential Family Centres Regulations 2002**

- 26.**—(1) The Residential Family Centres Regulations 2002(**92**) are amended as follows.
- (2) In regulation 5(4)(a) (fitness of registered provider)—
- (a) after “awarded” insert “or a moratorium period under a debt relief order (within the meaning of section 251A of the Insolvency Act 1986) applies in relation to him”;
  - (b) omit “(in either case)”; and
  - (c) after “discharged” insert “from the bankruptcy or the sequestration”.

### **Fostering Services (Wales) Regulations 2003**

- 27.**—(1) The Fostering Services (Wales) Regulations 2003(**93**) are amended as follows.
- (2) In regulation 5(4)(a)(fostering agency – fitness of provider) of the English language text of those Regulations—
- (a) after “awarded” insert “or a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies in relation to him or her”;
  - (b) omit “(in either case)”; and
  - (c) after “discharged” insert “from the bankruptcy or the sequestration”.
- (3) In regulation 5(4)(a) of the Welsh language text of those Regulations (Rheoliadau Gwasanaethau Maethu (Cymru) 2003)—
- (a) after “ystâd” insert “neu os yw cyfnod moratoriwm o dan orchymyn rhyddhau o ddyled (o dan Rhan 7A o Ddeddf Ansolfedd 1986) yn gymwys mewn perthynas ag ef”;
  - (b) omit “(yn y naill achos neu’r llall)”; and
  - (c) after “ryddhau” insert “rhag y methdaliad neu’r atafaeliad”.

### **Residential Family Centres (Wales) Regulations 2003**

- 28.**—(1) The Residential Family Centres (Wales) Regulations 2003(**94**) are amended as follows.
- (2) In regulation 5(5)(a) (fitness of registered providers) of the English language text of those Regulations—
- (a) after “awarded” insert “or a moratorium period under a debt relief order (within the meaning of section 251A of the Insolvency Act 1986) applies in relation to him or her”;
  - (b) omit “(in either case)”; and
  - (c) after “discharged” insert “from the bankruptcy or the sequestration”.
- (3) In regulation 5(5)(a) of the Welsh language text of those regulations (Rheoliadau Canolfannau Preswyl i Deuluoedd (Cymru) 2003)—
- (a) after “ystad” insert “neu os yw cyfnod moratoriwm o dan orchymyn rhyddhau o ddyled (o fewn ystyr adran 251A o Ddeddf Ansolfedd 1986) yn gymwys mewn perthynas ag ef”;
  - (b) omit “(yn y naill achos neu’r llall)”; and
  - (c) after “ryddhau” insert “rhag y methdaliad neu’r atafaeliad”.

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**(92)** [S.I. 2002/3213](#).

**(93)** [S.I. 2003/237](#).

**(94)** [S.I. 2003/781](#).

### **Nurses Agencies (Wales) Regulations 2003**

**29.**—(1) The Nurses Agencies (Wales) Regulations 2003(**95**) are amended as follows.

(2) In regulation 7(5)(a) (fitness of registered providers) of the English language text of those Regulations—

- (a) after “awarded” insert “or a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies in relation to him or her”;
- (b) omit “(in either case)”; and
- (c) after “discharged” insert “from the bankruptcy or the sequestration”.

(3) In regulation 7(5)(a) of the Welsh language text of those Regulations (Rheoliadau Asiantaethau Nyrsys (Cymru) 2003)—

- (a) after “ystad” insert “neu os yw cyfnod moratoriwm o dan orchymyn rhyddhau o ddyled (a dan Rhan 7A o Ddeddf Ansolfedd 1986) yn gymwys mewn perthynas ag ef”;
- (b) omit “(yn y naill achos neu’r llall)”; and
- (c) after “ryddhau” insert “rhag y methdaliad neu’r atafaeliad”.

### **Domiciliary Care Agencies (Wales) Regulations 2004**

**30.**—(1) The Domiciliary Care Agencies (Wales) Regulations 2004(**96**) are amended as follows.

(2) In regulation 8(4)(a) (fitness of registered provider) of the English language text of those Regulations—

- (a) after “awarded” insert “or a moratorium under a debt relief order (under Part 7A of the Insolvency Act 1986) applies in relation to him or her”;
- (b) omit “(in either case)”; and
- (c) after “discharged” insert “from the bankruptcy or the sequestration”.

(3) In regulation 8(4)(a) of the Welsh language text of those Regulations (Rheoliadau Asiantaethau Gofal Cartref (Cymru) 2004)—

- (a) after “ystâd” insert “neu os yw moratoriwm o dan orchymyn rhyddhau o ddyled (o dan Rhan 7A o Ddeddf Ansolfedd 1986) yn gymwys mewn perthynas ag ef”;
- (b) omit “(yn y naill achos neu’r llall)”; and
- (c) after “ryddhau” insert “rhag y methdaliad neu’r atafaeliad”.

### **National Health Service (General Medical Services Contracts) Regulations 2004**

**31.**—(1) The National Health Service (General Medical Services Contracts) Regulations 2004(**97**) are amended as follows.

(2) In regulation 5(2)(i)(general condition relating to all contracts)—

- (a) in paragraph (i)—
  - (i) after “awarded” insert “or a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies in relation to him”;
  - (ii) omit “(in either case)”; and
  - (iii) after “discharged” insert “from the bankruptcy or the sequestration”; and
- (b) at the end of paragraph (ii) omit “or”; and

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(95) [S.I. 2003/2527](#).

(96) [S.I. 2004/219](#).

(97) [S.I. 2004/291](#), amended by [S.I. 2007/3491](#); there are other amending instruments but none is relevant.

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

- (c) after paragraph (ii) insert—
  - “(iia) been made the subject of a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986 unless that order has ceased to have effect or has been annulled, or”.
- (3) In paragraph 113(2)(j) of Schedule 6 (Part 8 – other grounds for termination by the Primary Care Trust)—
  - (a) in paragraph (i)—
    - (i) after “awarded” insert “or a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies in relation to him”;
    - (ii) omit “(in either case)”; and
    - (iii) after “discharged” insert “from the bankruptcy or sequestration”; and
  - (b) at the end of paragraph (ii) omit “or”; and
  - (c) after paragraph (ii) insert—
    - “(iia) been made the subject of a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986 unless that order has ceased to have effect or has been annulled, or”.

#### **National Health Service (General Medical Services Contracts) (Wales) Regulations 2004**

**32.**—(1) The National Health Service (General Medical Services Contracts) (Wales) Regulations 2004<sup>(98)</sup> are amended as follows.

- (2) In regulation 5(2)(i) (general condition relating to all contracts)—
  - (a) in paragraph (i)—
    - (i) after “awarded” insert “or a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies in relation to him or her”;
    - (ii) omit “(in either case)”; and
    - (iii) after “discharged” insert “from the bankruptcy or the sequestration”; and
  - (b) at the end of paragraph (ii) omit “or”; and
  - (c) after paragraph (ii) insert—
    - “(iia) been made the subject of a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986 unless that order has ceased to have effect or has been annulled, or”.
- (3) In paragraph 111(2)(j) of Schedule 6 (Part 8 – other grounds for termination by the Local Health Board)—
  - (a) in paragraph (i)—
    - (i) after “awarded” insert “or a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies in relation to him or her”;
    - (ii) omit “(in either case)”; and
    - (iii) after “discharged” insert “from the bankruptcy or sequestration”; and
  - (b) at the end of paragraph (ii) omit “or”; and
  - (c) after paragraph (ii) insert—

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<sup>(98)</sup> S.I. 2004/478, amended by S.I. 2008/1425; there are other amending instruments but none is relevant.

“(iia) been made the subject of a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986 unless that order has ceased to have effect or has been annulled, or”.

#### **National Health Service (Personal Medical Services Agreements) Regulations 2004**

**33.**—(1) The NHS (Personal Medical Services Agreements) Regulations 2004<sup>(99)</sup> are amended as follows.

(2) In regulation 5(3)(i)—

(a) in paragraph (i)—

(i) after “awarded” insert “or a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies in relation to him”;

(ii) omit “(in either case)”; and

(iii) after “discharged” insert “from the bankruptcy or the sequestration”; and

(b) at the end of paragraph (ii) omit “or”; and

(c) after paragraph (ii) insert—

“(iia) been made the subject of a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986 unless that order has ceased to have effect or has been annulled, or”.

(3) In paragraph 105(3)(i) of Schedule 5 (Part 8 – termination by relevant body on fitness grounds)

(a) in paragraph (i)—

(i) after “awarded” insert “or is a person in relation to whom a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies”;

(ii) omit “(in either case)”; and

(iii) after “discharged” insert “from the bankruptcy or the sequestration”; and

(b) at the end of paragraph (ii) omit “or”; and

(c) after paragraph (ii) insert—

“(iia) been made the subject of a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986 unless that order has ceased to have effect or has been annulled, or”.

#### **Child Trust Funds Regulations 2004**

**34.** In regulation 20(1) of the Child Trust Funds Regulations 2004<sup>(100)</sup> (account provider ceasing to qualify), after sub-paragraph (b) insert—

“(ba) a debt relief order is made in respect of the person (under Part 7A of the Insolvency Act 1986);”.

#### **Adult Placement Schemes (Wales) Regulations 2004**

**35.**—(1) The Adult Placement Scheme (Wales) Regulations 2004<sup>(101)</sup> are amended as follows.

(2) In regulation 8(4)(a) (fitness of registered provider) of the English language text of those Regulations—

<sup>(99)</sup> S.I. 2004/627, amended by S.I. 2004/ 2694, S.I. 2007/3491; there are other amending instruments but none is relevant.

<sup>(100)</sup> S.I. 2004/1450, amended by S.I. 2001/582; there are other amending instruments but none is relevant.

<sup>(101)</sup> S.I. 2004/1756.

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

- (a) after “awarded” insert “or a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies in relation to him or her”;
  - (b) omit “(in either case)”; and
  - (c) after “discharged” insert “from the bankruptcy or the sequestration”.
- (3) In regulation 8(4)(a) of the Welsh language text of those Regulations (Rheoliadau Cynlluniau Lleoli Oedolion (Cymru) 2004)—
- (a) after “secwestrio” insert “neu os yw cyfnod moratoriwm o dan orchymyn rhyddhau o ddyled (o dan Rhan 7A o Ddeddf Ansolfedd 1986) yn gymwys mewn perthynas ag ef”;
  - (b) omit “(yn y naill achos neu’r llall)”; and
  - (c) after “ryddhawyd ef” insert “rhag y methdaliad neu’r atafaeliad”.

#### **Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004**

**36.** For regulation 4(5) of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004(**102**) (President of Employment Tribunals), substitute—

“(5) If the appointing office holder is satisfied that the President is incapacitated by infirmity of mind or body from discharging the duties of his office, or—

- (a) the President is adjudged to be bankrupt or makes a composition or arrangement with his creditors, or
- (b) a debt relief order (under Part 7A of the Insolvency Act) has been made in respect of the “bankrupt or” insert “a debt relief order (under Part 7A of the Insolvency Act 1986) has been made in respect of him of the President

the appointing office holder may revoke his appointment.”.

#### **Postgraduate Medical Education and Training Board (Members – Removal from Office) Rules Order 2004**

**37.**—(1) The Postgraduate Medical Education and Training Board (Member – Removal from Office) Rules Order(**103**) is amended as follows.

(2) In paragraph 3 of the Schedule (Removal: Specific categories of unsuitability to be a member)

- (a) in sub-paragraph (f)—
  - (i) after “awarded” insert “or is a person in relation to whom a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies”;
  - (ii) omit “(in either case)”; and
  - (iii) after “discharged” insert “from the bankruptcy or the sequestration”; and
- (b) in sub-paragraph (g), after “Schedule 4A” insert “, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB (debt relief restrictions and undertakings),”.

#### **Health Protection Agency Regulations 2005**

**38.** In regulation 3(1)(b) of the Health Protection Agency Regulations 2005(**104**) (disqualification for appointment), after “or interim bankruptcy restrictions order” insert “, or a debt

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(102) S.I. 2004/1861.

(103) S.I. 2004/3410.

(104) S.I. 2005/408. There are amending instruments but none is relevant.

relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986.”.

### **Children and Family Court Advisory and Support Service (Membership, Committee and Procedure) Regulations 2005**

**39.** In regulation 6 of the Children and Family Court Advisory and Support Service (Membership, Committee and Procedure) Regulations 2005(**105**) (eligibility to be a member)—

- (a) in sub-paragraph (c), after “undischarged bankrupt” insert “or a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986)”; and
- (b) in sub-paragraph (d) after “Schedule 4A” insert “or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB”.

### **Gangmasters (Licensing Authority) Regulations 2005**

**40.** In regulation 5(4) of the Gangmasters (Licensing Authority) Regulations 2005(**106**) (tenure of office and remuneration of board), after sub-paragraph (d) insert—

- “(da) he is a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986) or he is the subject of a debt relief restrictions order (under Schedule 4ZB to the Insolvency Act 1986);”.

### **Health and Social Care Information Centre Regulations 2005**

**41.** In regulation 3(1)(b) of the Health and Social Care Information Centre Regulations 2005(**107**) (disqualification for appointment), after “or an interim bankruptcy restrictions order” add “, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986”.

### **NHS Institute for Innovation and Improvement Regulations 2005**

**42.** In regulation 3(1)(b) of the NHS Institute for Innovation and Improvement Regulations 2005(**108**) (disqualification for appointment), after “or an interim bankruptcy restrictions order” add “, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986”.

### **NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) Regulations 2005**

**43.** In regulation 3(1)(b) of the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) Regulations 2005(**109**) (disqualification of appointment), after “or an interim bankruptcy restrictions order” add “, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986”.

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(105) S.I. 2005/433.

(106) S.I. 2005/448.

(107) S.I. 2005/500.

(108) S.I. 2005/1447.

(109) S.I. 2005/2415.

### **NHS Blood and Transplant (Gwaed a Thrawsblaniadau'r GIG) Regulations 2005**

**44.** In regulation 3(1)(b) of the NHS Blood and Transplant (Gwaed a Thrawsblaniadau'r GIG) Regulations 2005(**110**) (disqualification for appointment), after “or an interim bankruptcy restrictions order” add “, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986”.

### **Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005**

**45.**—(1) The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005(**111**) are amended as follows.

(2) In regulation 7(4)(fitness of registered provider)—

(a) in sub-paragraph (a)—

(i) after “awarded” insert “or is a person in relation to whom a moratorium period under a debt relief order (within the meaning of section 251A of the Insolvency Act 1986) applies”;

(ii) omit “(in either case)”; and

(iii) after “discharged” insert “from the bankruptcy or sequestration”; and

(b) in sub-paragraph (b), after “Schedule 4A” insert “, or a debt relief restrictions order or an interim debt relief restrictions order under Schedule 4ZB,”.

### **Railway (Licensing of Railway Undertakings) Regulations 2005**

**46.** In paragraph 2 to Schedule 2 to the Railway (Licensing of Railway Undertakings) Regulations 2005(**112**) (Qualifications for European Licence), after sub-paragraph (a) insert—

“(aa) any appropriate officer of the undertaking has a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986);”.

### **National Health Service (General Dental Services Contracts) Regulations 2005**

**47.**—(1) The National Health Service (General Dental Services Contracts) Regulations 2005 (**113**) are as amended as follows.

(2) In regulation 4(3)(g) (general prescribed conditions relating to all contracts)—

(a) in sub-paragraph (i)—

(i) after “awarded” insert “or is a person in relation to whom a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies”;

(ii) omit “(in either case)”; and

(iii) after “discharged” insert “from the bankruptcy or the sequestration”; and

(b) in sub-paragraph (ii), after “Schedule 4A” insert “, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB,”.

(3) In paragraph 71(2)(h) of Schedule 3 (Part 9 - termination by the Primary Care Trust on grounds of suitability etc.)—

(a) in sub-paragraph (i)—

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(110) S.I. 2005/2531.

(111) S.I. 2005/2720.

(112) S.I. 2005/3050.

(113) S.I. 2005/3361.

- (i) after “awarded” insert “or is a person in relation to whom a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies”;
  - (ii) omit “(in either case)”; and
  - (iii) after “discharged” insert “from the bankruptcy or the sequestration”; and
- (b) in sub-paragraph (ii), after “Schedule 4A” insert “, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB,”.

### **National Health Service (Personal Dental Services Agreements) Regulations 2005**

**48.**—(1) The National Health Service (Personal Dental Services Agreements) Regulations 2005(**114**) are amended as follows.

(2) In regulation 4(3)(g) (general prescribed conditions relating to all contracts)—

- (a) in sub-paragraph (i)—
  - (i) after “awarded” insert “or is a person in relation to whom a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies”;
  - (ii) omit “(in either case)”; and
  - (iii) after “discharged” insert “from the bankruptcy or the sequestration”; and
- (b) in sub-paragraph (ii), after “Schedule 4A”, insert “, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB,”.

(3) In paragraph 69(2)(h) of Schedule 3 (Part 9 - termination by the Primary Care Trust on grounds of suitability etc.)—

- (a) in sub-paragraph (i)—
  - (i) after “awarded” insert “or is a person in relation to whom a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies”;
  - (ii) omit “(in either case)”; and
  - (iii) after “discharged”, insert “from the bankruptcy or the sequestration”; and
- (b) in sub-paragraph (ii), after “Schedule 4A” insert “, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB,”.

### **Duty Stamps Regulations 2006**

**49.** In regulation 10(3) of the Duty Stamps Regulations 2006(**115**) (disqualification from being registered), after “(United Kingdom)” insert “or if he is a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986)”.

### **National Health Service (Personal Dental Services Agreements) (Wales) Regulations 2006**

**50.**—(1) The National Health Service (Personal Dental Services Agreements) (Wales) Regulations 2006(**116**) are amended as follows.

(2) In regulation 4(3)(g) (general prescribed conditions relating to all agreements)—

- (a) in sub-paragraph (i)—
  - (i) after “awarded” insert “or he or she is a person in relation to whom a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies”;

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(114) S.I. 2005/3373.

(115) S.I. 2006/202.

(116) S.I. 2006/489.

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

- (ii) omit “(in either case)”; and
- (iii) after “discharged” insert “from the bankruptcy or sequestration”;
- (b) in sub-paragraph (ii), after “Schedule 4A” insert “, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB,”.
- (3) In paragraph 69(2)(h) of Schedule 3 (Part 9 – termination by the Relevant Body on grounds of suitability etc.)—
  - (a) in sub-paragraph (i)—
    - (i) after “awarded” insert “or he or she is a person in relation to whom a moratorium period under debt relief order (under Part 7A of the Insolvency Act 1986) applies”;
    - (ii) omit “(in either case)”; and
    - (iii) after “discharged” insert “from the bankruptcy or sequestration”;
  - (b) in sub-paragraph (ii), after “Schedule 4A” insert “, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB,”.

#### **National Health Service (General Dental Services Contracts) (Wales) Regulations 2006**

**51.**—(1) The National Health Service (General Dental Services Contracts) (Wales) Regulations 2006(**117**) are amended as follows.

- (2) In regulation 4(3)(g) (general prescribed conditions relating to all contracts)—
  - (a) in sub-paragraph (i)—
    - (i) after “awarded” insert “or he or she is a person in relation to whom a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies”;
    - (ii) omit “(in either case)”; and
    - (iii) after “discharged” insert “from the bankruptcy or sequestration”;
  - (b) in sub-paragraph (ii), after “Schedule 4A” insert “, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB,”.
- (3) In paragraph 71(2)(h) of Schedule 3 (Part 9 – termination by Local Health Board on grounds of suitability etc.)—
  - (a) in sub-paragraph (i)—
    - (i) after “awarded” insert “or he or she is a person in relation to whom a moratorium period under debt relief order (under Part 7A of the Insolvency Act 1986) applies”;
    - (ii) omit “(in either case)”; and
    - (iii) after “discharged” insert “from the bankruptcy or sequestration”;
  - (b) in sub-paragraph (ii), after “Schedule 4A” insert “, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB,”.

#### **National Health Service (Local Pharmaceutical Services etc.) Regulations 2006**

**52.**—(1) The National Health Service (Local Pharmaceutical Services etc.) Regulations 2006(**118**) are amended as follows.

- (2) In regulation 7(2)(h) (general condition relating to all LPS schemes)—
  - (a) in sub-paragraph (i)—

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(117) S.I. 2006/490.

(118) S.I. 2006/552.

- (i) after “awarded” insert “or he is a person in relation to whom a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies”;
  - (ii) omit “(in either case)”; and
  - (iii) after “discharged” insert “from the bankruptcy or the sequestration”; and
  - (b) in sub-paragraph (ii), after “Schedule 4A” insert “, or a debt relief restrictions order or an interim debt relief restrictions order under Schedule 4ZB,”.
- (3) In paragraph 29(2)(h) of Schedule 2 (termination by the Primary Care Trust on grounds of suitability etc)—
- (a) in sub-paragraph (i)—
    - (i) after “awarded” insert “or he is a person in relation to whom a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies”;
    - (ii) omit “(in either case)”; and
    - (iii) after “discharged” insert “from the bankruptcy or the sequestration”; and
  - (b) in sub-paragraph (ii), after “Schedule 4A” insert “, or a debt relief restrictions order or an interim debt relief restrictions order under Schedule 4ZB,”.

#### **Fire and Rescue Services (Northern Ireland) Order 2006**

**53.** In paragraph 3(4)(b) to Schedule 1 to the Fire and Rescue Services (Northern Ireland) Order 2006(**119**) (term of office), after “bankrupt” insert “or has a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986)”.

#### **Appointments Commission Regulations 2006**

**54.** In regulation 5(1)(b) of the Appointments Commission Regulations 2006(**120**) (disqualification for appointment), after “or interim bankruptcy restrictions order” add “, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986”.

#### **School Governance (New Schools) (England) Regulations 2007**

**55.** In paragraph 5(b) of Schedule 2 to the School Governance (New Schools) (England) Regulations 2007(**121**) (bankruptcy), for “or an interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986”.

#### **Education (Pupil Referral Units) (Management Committees etc) (England) Regulations 2007**

**56.** In paragraph 5(b) of Schedule 2 to the Education (Pupil Referral Units)(Management Committees etc) (England) Regulations 2007(**122**) (qualifications and disqualifications), after “or an interim bankruptcy restrictions order” add “, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986”.

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(119) S.I. 2005/1254.

(120) S.I. 2006/2380.

(121) S.I. 2007/958.

(122) S.I. 2007/2978.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This order makes consequential amendments to or in connection with disqualification provisions not already in Schedule 20 to the Tribunals, Courts and Enforcement Act 2007, to take account of debt relief orders and debt relief restrictions orders (introduced by Chapter 3 of Part 5 of that Act).

Article 3(1) and Schedule 1 make a consequential amendment to the Company Directors Disqualification Act 1986. Article 3(2) and Schedule 2 make consequential amendments and modifications to disqualification provisions contained in an Act of Parliament other than the Company Directors Disqualification Act 1986. Article 3(3) and Schedule 3 make consequential amendments or modifications to disqualification provisions made under an Act of Parliament. The amendments made by this order are to primary and secondary legislation which already provides for disqualification of persons from office in the event of insolvency, so as to extend these disqualifications to persons subject to debt relief orders (under Part 7A of the Insolvency Act 1986) and to debt relief restrictions orders and debt relief restrictions undertakings and their respective interim orders and undertakings (under Schedule 4ZB to the Insolvency Act 1986). Articles 5 to 9 make transitional provisions.

A full impact assessment of the effect of this instrument will have on the costs of business and the voluntary sector is available from the Insolvency Service website ([www.insolvency.gov.uk](http://www.insolvency.gov.uk)) and is published with the Explanatory Memorandum alongside the instrument on [www.legislation.gov.uk](http://www.legislation.gov.uk).