

## SCHEDULE

### PART 6

#### Other amendments England, Wales and Scotland

##### **Bankruptcy (Scotland) Act 2016 (Consequential Provisions and Modifications) Order 2016**

**92.**—(1) The Bankruptcy (Scotland) Act 2016 (Consequential Provisions and Modifications) Order 2016(1) is amended as follows.

(2) In the definition of “creditor” in article 2(1), for “liquidator” substitute “insolvency practitioner”.

##### **Commencement Information**

**I1** Sch. para. 92 in force at 26.6.2017, see [reg. 1](#)

##### **The Pension Protection Fund (Entry Rules) Regulations 2005**

**93.**—(1) The Pension Protection Fund (Entry Rules) Regulations 2005(2) are amended as follows.

(2) In regulation 1(3) (citation, commencement and interpretation)—

(a) in the definition of “establishment”, before “has the meaning” insert “, except in regulation 5A,”; and

(b) for the definition of “the Insolvency Regulation” substitute—

““the Insolvency Regulation” means Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings;”.

(3) In regulation 5A (European insolvency event), for paragraph (5) substitute—

“(5) In this regulation “insolvency proceedings”, “establishment” and “liquidator” each has the meaning given by Article 2 of Council Regulation (EC) No 1346/2000 of 29th May 2000 on insolvency proceedings.”.

##### **Commencement Information**

**I2** Sch. para. 93 in force at 26.6.2017, see [reg. 1](#)

##### **Cross-Border Insolvency Regulations 2006**

**94.**—(1) The Cross-Border Insolvency Regulations 2006(3) are amended as follows.

(2) In Schedule 1 (Uncitral Model Law on Cross-border Insolvency) in Article 2 (Definitions) for paragraph (d) substitute—

““the EU Insolvency Regulation” means Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015”.

(3) In Schedule 2 (procedural matters in England and Wales) in paragraph 1(1) (interpretation)—

(1) [S.I. 2016/1034](#).

(2) [S.I. 2005/590](#); relevant amending instruments are S.I.s [2014/1664](#) and [2016/294](#).

(3) [S.I. 2006/1030](#).

**Changes to legislation:** There are currently no known outstanding effects for the The Insolvency Amendment (EU 2015/848) Regulations 2017, PART 6. (See end of Document for details)

- (a) in the definition of “main proceedings” for “EC Insolvency Regulation” in each place where it occurs substitute “EU Insolvency Regulation” and for “Article 2(a)” substitute “Article 2(4)”;
  - (b) for the definition of “member state liquidator” substitute—  
““member State liquidator” means a person falling within the definition of “insolvency practitioner” in Article 2(5) of the EU Insolvency Regulation appointed in proceedings to which the Regulation applies in a member State other than the United Kingdom;”.
- (4) In Schedule 3 (procedural matters in Scotland) in paragraph 1(1) (interpretation)—
- (a) in the definition of “main proceedings” for “EC Insolvency Regulation” in each place where it occurs substitute “EU Insolvency Regulation” and for “Article 2(a)” substitute “Article 2(4)”;
  - (b) for the definition of “member state liquidator” substitute—  
““member State liquidator” means a person falling within the definition of “insolvency practitioner” in Article 2(5) of the EU Insolvency Regulation appointed in proceedings to which the Regulation applies in a member State other than the United Kingdom;”.

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**Commencement Information**

**I3** Sch. para. 94 in force at 26.6.2017, see [reg. 1](#)

**Regulated Covered Bonds Regulations 2008**

**95.** The Regulated Covered Bonds Regulations 2008(4) are amended as follows. In regulation 1(2) (Citation, commencement and interpretation) in the definition of “centre of main interests” for “Council Regulation (EC) No 1346/2000” substitute “Regulation (EU) 2015/848 of the European Parliament and of the Council”.

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**Commencement Information**

**I4** Sch. para. 95 in force at 26.6.2017, see [reg. 1](#)

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(4) [S.I. 2008/346](#) to which there are amendments that are not relevant to this instrument.

**Changes to legislation:**

There are currently no known outstanding effects for the The Insolvency Amendment (EU 2015/848) Regulations 2017, PART 6.