SCHEDULE Article 3

Consequential Amendments

PART 1

Amendments to Primary Legislation

4. In the Courts Act 1971(**1**), in the list in Part 1A of Schedule 2 (certain office-holders eligible for appointment as circuit judges), for "Registrar in Bankruptcy of the High Court" substitute "Insolvency and Companies Court Judge".

5. In the Judicial Pensions Act 1981(**2**), in the list in paragraph 1 of Schedule 1 (pensions of certain judicial office holders), for "Registrar in Bankruptcy of the High Court" substitute "Insolvency and Companies Court Judge".

6. In the Senior Courts Act 1981(**3**)—

(a) in the table in section 89(3C) (masters and registrars), in the right hand column, for "Registrar in bankruptcy of the High Court" substitute "Insolvency and Companies Court Judge", and

(b) in Schedule 2 (list of offices in Senior Courts for purposes of Part 4), in the table in Part 2, for "Registrar in Bankruptcy of the High Court" in the left hand column substitute "Insolvency and Companies Court Judge".

7. In the following provisions of the Insolvency Act 1986(**4**), for "a registrar in bankruptcy of the High Court" substitute "an insolvency and companies court judge"—

(a) section 375(2) (appeals etc from courts exercising insolvency jurisdiction);

(b) section 413(3)(c) (insolvency rules committee);

(c) paragraph 2 of Schedule 9 (provisions capable of inclusion in individual insolvency rules).

8. In the following provisions of the Courts and Legal Services Act 1990(**5**), for "Registrar in Bankruptcy of the High Court" substitute "Insolvency and Companies Court Judge"—

(a) section 76(1)(d) (judicial oaths);

(b) the list in Schedule 11 (judges etc. barred from legal practice).

9. In the following provisions of the Judicial Pensions and Retirement Act 1993(**6**), for "Registrar in Bankruptcy of the High Court" substitute "Insolvency and Companies Court Judge"—

(a) the list in Part 2 of Schedule 1 (qualifying office: judges);

(**1**) 1971 c. 23. The list was inserted by paragraph 31(2) of Schedule 10 to the Courts and Legal Services Act 1990 (c. 41) and has other amendments not relevant to this instrument.

(**2**) 1981 c. 20. The list was substituted by paragraph 2 of the relevant entry in Schedule 5 to the Senior Courts Act 1981, its title was amended by paragraph 25(4) of Schedule 11 to the Constitutional Reform Act 2005. There are other amendments not relevant to this instrument.

(**3**) The table in section 89(3C) was inserted by paragraph 3(4) of Schedule 3 to the Constitutional Reform Act 2005. The table in Schedule 2 was substituted by paragraph 13(3) of Schedule 10 to the Tribunals, Courts and Enforcement Act 2007. There are other amendments not relevant to this instrument.

(**4**) 1986 c. 45. Section 375(2) was amended by Part 3 of Schedule 15 to the Access to Justice Act 1999 (c. 22) and paragraph 52 of Schedule 9 to the Crime and Courts Act 2013. Section 413(3) was amended by paragraph 93(k) of Schedule 9 to the Crime and Courts Act 2013 and by paragraph 190(2) of Schedule 4 to the Constitutional Reform Act 2005. Paragraph 2 of Schedule 9 was amended by paragraph 93(l) of Schedule 9 to the Crime and Courts Act 2013.

(**5**) 1990 c. 41. Section 76(1) was amended by paragraph 4(3) of Schedule 11 to the Constitutional Reform Act 2005. The list in Schedule 11 was amended in ways not relevant to this instrument.

(**6**) 1993 c. 8. Both the lists in Schedule 1 and 5 are amended in ways not relevant to this instrument, paragraph 5(5)(i)(d) of Schedule 7 was amended by Paragraph 1(2) of Schedule 11(1) to the Constitutional Reform Act 2005.

(b) the list in Schedule 5 (retirement provisions: the relevant office) in both places where it occurs;

(c) paragraph 5(5)(i)(d) of Schedule 7 (retirement dates: transitional provisions).

10. In the Courts Act 2003, in the list in section 64(2) (power to alter judicial titles)—

(a) omit the entry "Registrar in Bankruptcy of the High Court", and

(b) after the entry "Head of Family Justice" insert the entry "Insolvency and Companies Court Judge".

11. In the Constitutional Reform Act 2005(**7**), in Table 2 of Part 1 of Schedule 14 (the Judicial Appointments Commission: Relevant Offices and Enactments) for "Registrar in Bankruptcy of the High Court" substitute "Insolvency and Companies Court Judge".

PART 1

Amendments to Secondary Legislation

12.—(1) In the following provisions, for "a Registrar in Bankruptcy of the High Court" substitute "an Insolvency and Companies Court Judge" —

(a) the definition of "Registrar of the Court" in rule 3 (interpretation) of the Deeds of Arrangement Rules 1925(**8**);

(b) rule 10.2(3)(a) ("the court"; "the registrar") of the Railway Administration Order Rules 2001(**9**);

(c) rule 177(3)(a) ("the court"; "the registrar") of the Energy Administration Rules 2005(**10**);

(d) paragraph 1(3)(a) of Schedule 2 (procedural matters in England and Wales) to the Cross-Border Insolvency Regulations 2006(**11**);

(e) rule 116(3)(b) ("the court"; "the registrar") of the PPP Administration Order Rules 2007(**12**);

(f) the definition of "the registrar" in rule 3(1) (definitions and interpretation) of the Water Industry (Special Administration) Rules 2009(**13**);

(g) rule 329(3) ("the court"; "the registrar") of the Investment Bank Special Administration (England and Wales) Rules 2011(**14**);

(h) rule 205(3)(a) ("the court"; "the registrar") of the Postal Administration Rules 2013(**15**);

(i) rule 202(3) ("the court"; "the registrar") of the Energy Supply Company Administration Rules 2013(**16**).

13. In the Public Service Pensions Act 2013 (Judicial Offices) Order 2015(**17**), in the list in the Schedule (specified judicial offices)—

(a) omit the entry "Registrar or Deputy Registrar in Bankruptcy of the High Court", and

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(**7**) Table 2 was inserted by paragraph 29(3) of Schedule 13 to the Crime and Courts Act 2013.
(**8**) S.I. 1925/795. The definition of Registrar of the Court was amended by section 74 of the Courts and Legal Services Act 1990.
(**9**) S.I. 2001/3352. There are amendments not relevant to this instrument.
(**10**) S.I. 2005/2483. There are amendments not relevant to this instrument.
(**11**) S.I. 2006/1030. There are amendments not relevant to this instrument.
(**12**) S.I. 2007/3141. There are amendments not relevant to this instrument.
(**13**) S.I. 2009/2477.
(**14**) S.I. 2011/1301. There are amendments not relevant to this instrument.
(**15**) S.I. 2013/3208.
(**16**) S.I. 2013/1046.
(**17**) S.I. 2015/580. There are amendments not relevant to this instrument.

(b) after the entry "High Court Judge (Northern Ireland) (Sitting in retirement)" insert the entry "Insolvency and Companies Court Judge or Deputy Insolvency and Companies Court Judge".

14. In the Insolvency (England and Wales) Rules 2016(**18**)—

(a) in the following provisions, for "a Registrar in Bankruptcy of the High Court" substitute "an Insolvency and Companies Court Judge"—

(i) the definitions of "judge" and "registrar" in rule 1.2(2) (defined terms);

(ii) rule 12.59(2)(a)(ii), (b)(iii), and (c) (appeals and reviews of court orders);

(b) in rule 12.59(4)—

(i) omit the definition of "Registrar in Bankruptcy of the High Court", and

(ii) in the appropriate place insert—

""Insolvency and Companies Court Judge" means a person appointed to the office of Insolvency and Companies Court Judge under section 89(1) of the Senior Courts Act 1981;", and

(c) in paragraph 14 of Schedule 2 (transitional and savings provisions)—

(i) in sub-paragraph (1) for "Where" substitute "Subject to paragraph (1A), where", and

(ii) after sub-paragraph (1) insert—

"(1A) Where the 1986 Rules(**19**) apply by virtue of paragraph (1) they are to apply as though —

(a) in rules 7.47(2)(a)(ii), (b)(iii) and (c) and 13.2(3A)(a) for "a Registrar in Bankruptcy of the High Court" there were substituted "an Insolvency and Companies Court Judge", and

(b) in rule 7.47(5), for the words "Registrar in Bankruptcy of the High Court" both times they appear there were substituted "Insolvency and Companies Court Judge.".

(**18**) S.I. 2016/1024. These rules are amended by S.I. 2017/366.

(**19**) The reference to the 1986 Rules is to the Insolvency Rules 1986 (S.I. 1986/1925) which are revoked with savings by rules 1 and 2 of, and Schedule 2 to, the Insolvency (England and Wales) Rules 2016.