



# Insolvency Act 1985

## 1985 CHAPTER 65

### PART I

#### INSOLVENCY PRACTITIONERS

##### *Qualification*

## **2 Qualification of insolvency practitioners**

- (1) A person who is not an individual is not qualified to act as an insolvency practitioner.
- (2) A person is not qualified to act as an insolvency practitioner at any time unless, at that time—
  - (a) he is authorised to act as an insolvency practitioner by virtue of section 3 below; or
  - (b) he holds an authorisation granted under section 5 below.
- (3) A person is not qualified to act as an insolvency practitioner in relation to another person at any time unless—
  - (a) there is in force at that time security or, in Scotland, caution for the proper performance of his functions; and
  - (b) that security or caution meets the prescribed requirements with respect to his so acting in relation to that other person.
- (4) A person is not qualified to act as an insolvency practitioner at any time if, at that time—
  - (a) he has been adjudged bankrupt or sequestration of his estate has been awarded and (in either case) he has not been discharged;
  - (b) he is subject to a disqualification order made under sections 296 to 299 of the 1985 Act or Chapter I of Part II of this Act; or
  - (c) he is a patient within the meaning of Part VII of the Mental Health Act 1983 or section 125(1) of the Mental Health (Scotland) Act 1984.