

**Status:** Point in time view as at 01/12/1997. This version of this part contains provisions that are not valid for this point in time.

**Changes to legislation:** Building Societies Act 1986, Part I is up to date with all changes known to be in force on or before 04 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 15A

#### APPLICATION OF OTHER COMPANIES INSOLVENCY LEGISLATION TO BUILDING SOCIETIES

##### Textual Amendments

**F1** Sch. 15A inserted (1.12.1997) by 1997 c. 32, s. 39(2), Sch. 6; S.I. 1997/2668, art. 2, Sch. Pt. I(i)

### PART I

#### GENERAL MODE OF APPLICATION

- 1 (1) Subject to the provisions of this Schedule, the enactments specified in sub-paragraph (2) below (referred to in this Schedule as “the enactments”) apply in relation to building societies as they apply in relation to companies limited by shares and registered under the <sup>M1</sup>Companies Act 1985 or (as the case may be) the <sup>M2</sup>Companies (Northern Ireland) Order 1986.
- (2) The enactments referred to in sub-paragraph (1) above are—
- (a) Parts I and II, Chapter I of Part III, Parts VI, VII, XII and XIII, section 434 and Part XVIII of the <sup>M3</sup>Insolvency Act 1986, or
  - (b) Parts I to IV, VII, XI and XII and Article 378 of the <sup>M4</sup>Insolvency (Northern Ireland) Order 1989,
- and, in so far as they relate to offences under any such enactment, sections 430 and 432 of, and Schedule 10 to, the <sup>M5</sup>Insolvency Act 1986 or Article 2(6) and 373 of, and Schedule 7 to, the <sup>M6</sup>Insolvency (Northern Ireland) Order 1989.

##### Marginal Citations

**M1** 1985 c.6.  
**M2** S.I. 1986/1032 (N.I.6).  
**M3** 1986 c.45.  
**M4** S.I. 1989/2405 (N.I.19).  
**M5** 1986 c.45.  
**M6** S.I. 1989/2405 (N.I.19).

- 2 (1) The enactments shall, in their application to building societies, have effect with the substitution—
- (a) for “company” of “building society”;
  - (b) for “the registrar of companies” or “the registrar” of “the central office”;

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- (c) for “the articles” of “the rules”; and
  - (d) for “registered office” of “principal office”.
- (2) In the application of the enactments to building societies—
- (a) every reference to the officers, or to a particular officer, of a company shall have effect as a reference to the officers, or to the corresponding officer, of the building society and as including a person holding himself out as such an officer; and
  - (b) every reference to an administrative receiver shall be omitted.
- 3 (1) Where any of the enactments as applied to building societies requires a notice or other document to be sent to the central office, it shall have effect as if it required the central office to keep the notice or document in the public file of the society concerned and to record in that file the date on which the notice or document is placed in it.
- (2) Where any of the enactments, as so applied, refers to the registration, or to the date of registration, of such a notice or document, that enactment shall have effect as if it referred to the placing of the notice or document in the public file or (as the case may be) to the date on which it was placed there.
- 4 (1) Rules may be made under section 411 of the <sup>M7</sup>Insolvency Act 1986 or, as the case may be, Article 359 of the <sup>M8</sup>Insolvency (Northern Ireland) Order 1989 for the purpose of giving effect, in relation to building societies, to the provisions of the enactments.
- (2) An order made by the competent authority under section 414 of the Insolvency Act 1986 may make provision for fees to be payable under that section in respect of proceedings under the enactments and the performance by the official receiver or the Secretary of State of functions under them.
- (3) An order made by the Department of Economic Development under Article 361 of the Insolvency (Northern Ireland) Order 1989 may make provision for fees to be payable under that Article in respect of proceedings under the enactments and the performance by the official receiver or that Department of functions under them.

**Marginal Citations**

**M7** 1986 c.45.

**M8** S.I. 1989/2405 (N.I.19).

- 5 Any enactment which specifies a money sum altered by order under section 416 of the Insolvency Act 1986, or, as the case may be, Article 362 of the Insolvency (Northern Ireland) Order 1989, (powers to alter monetary limits) applies with the effect of the alteration.

VALID FROM 17/08/2001

[  
<sup>F25A</sup> In this Schedule, “scheme manager” has the same meaning as in the Financial Services and Markets Act 2000.]]

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### Textual Amendments

- F2** Sch. 15A para. 5A inserted (17.8.2001 for certain purposes and otherwise 1.12.2001) by S.I. 2001/2617, arts. 2, 8, 13(1), **Sch. 3 Pt. II para. 210(d)** (with art. 13(3), Sch. 5); S.I. 2001/3538, **art. 2**

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