



Third Parties (Rights against Insurers) Act 2010

2010 CHAPTER 10

Relevant persons

6 Corporate bodies etc

- [^{F1}(1) A body corporate or unincorporated body is a relevant person if a compromise or arrangement between the body and its creditors (or a class of them) is in force, having been sanctioned in accordance with section 899 [^{F2}or 901F] of the Companies Act 2006.]
- (2) A body corporate or an unincorporated body is a relevant person if, in England and Wales or Scotland—
- (a) a voluntary arrangement approved in accordance with Part 1 of the Insolvency Act 1986 is in force in respect of it,
 - [^{F3}(b) the body is in administration under Schedule B1 to that Act,]
 - (c) there is a person appointed in accordance with Part 3 of that Act who is acting as receiver or manager of the body's property (or there would be such a person so acting but for a temporary vacancy),
 - (d) the body is, or is being, wound up voluntarily in accordance with Chapter 2 of Part 4 of that Act,
 - (e) there is a person appointed under section 135 of that Act who is acting as provisional liquidator in respect of the body (or there would be such a person so acting but for a temporary vacancy), or
 - (f) the body is, or is being, wound up by the court following the making of a winding-up order under Chapter 6 of Part 4 of that Act or Part 5 of that Act.
- (3) A body corporate or an unincorporated body is a relevant person if, in Scotland—
- (a) an award of sequestration has been made [^{F4}by virtue of section 6 of the Bankruptcy (Scotland) Act 2016] in respect of the body's estate, and the body has not been discharged under that Act,

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- (b) the body has been dissolved and an award of sequestration has been made [F5by virtue of] that section in respect of its estate, [F6or]
 - (c) a protected trust deed within the meaning of the Bankruptcy (Scotland) Act [F72016] is in force in respect of the body's estate, F8 ...
 - F8(d)
- (4) A body corporate or an unincorporated body is a relevant person if, in Northern Ireland—
- (a) a voluntary arrangement approved in accordance with Part 2 of the Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N. I. 19)) is in force in respect of the body,
 - [F9(b) the body is in administration under Schedule B1 to that Order,]
 - (c) there is a person appointed in accordance with Part 4 of that Order who is acting as receiver or manager of the body's property (or there would be such a person so acting but for a temporary vacancy),
 - (d) the body is, or is being, wound up voluntarily in accordance with Chapter 2 of Part 5 of that Order,
 - (e) there is a person appointed under Article 115 of that Order who is acting as provisional liquidator in respect of the body (or there would be such a person so acting but for a temporary vacancy), or
 - (f) the body is, or is being, wound up by the court following the making of a winding-up order under Chapter 6 of Part 5 of that Order or Part 6 of that Order.
- [F10(4A) A body corporate or unincorporated body is a relevant person if it is in insolvency under Part 2 of the Banking Act 2009.
- (4B) A body corporate or unincorporated body is a relevant person if it is in administration under relevant sectoral legislation as defined in Schedule A1.]
- (5) A body within [F11subsection (1)] is not a relevant person in relation to a liability that is transferred to another body by the order sanctioning the compromise or arrangement.
- (6) Where a body is a relevant person by virtue of [F12subsection (1)], section 1 has effect to transfer rights only to a person on whom the compromise or arrangement is binding.
- (7) Where an award of sequestration made [F13by virtue of section 6 of the Bankruptcy (Scotland) Act 2016] is recalled or reduced, any rights which were transferred under section 1 as a result of that award are re-transferred to and vest in the person who became a relevant person as a result of the award.
- F14(8)
- (9) In this section—
- (a) a reference to a person appointed in accordance with Part 3 of the Insolvency Act 1986 includes a reference to a person appointed under section 101 of the Law of Property Act 1925;
 - (b) a reference to a receiver or manager of a body's property includes a reference to a receiver or manager of part only of the property and to a receiver only of the income arising from the property or from part of it;
 - (c) for the purposes of subsection (3) “body corporate or unincorporated body” includes any entity, other than a trust, the estate of which may be sequestrated [F15by virtue of section 6 of the Bankruptcy (Scotland) Act 2016];

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- (d) a reference to a person appointed in accordance with Part 4 of the Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N. I. 19)) includes a reference to a person appointed under section 19 of the Conveyancing Act 1881.

Textual Amendments

- F1** S. 6(1) substituted (1.8.2016 immediately after 2010 c. 10 and 2015 c. 4, s. 20, Sch. 2 come into force by virtue of S.I. 2016/550) by [The Third Parties \(Rights against Insurers\) Regulations 2016 \(S.I. 2016/570\)](#), regs. 1(1), **7(1)(a)**
- F2** Words in s. 6(1) inserted (26.6.2020) by [Corporate Insolvency and Governance Act 2020 \(c. 12\)](#), s. 49(1), **Sch. 9 para. 45** (with ss. 2(2), 5(2))
- F3** S. 6(2)(b) substituted (1.8.2016 being the day appointed for the coming into force of 2010 c. 10 by S.I. 2016/550) by [Insurance Act 2015 \(c. 4\)](#), s. 23(3)(b), **Sch. 2 para. 3(2)**
- F4** Words in s. 6(3)(a) substituted (30.11.2016) by [The Bankruptcy \(Scotland\) Act 2016 \(Consequential Provisions and Modifications\) Order 2016 \(S.I. 2016/1034\)](#), art. 1, **Sch. 1 para. 35(4)(a)(i)**
- F5** Words in s. 6(3)(b) substituted (30.11.2016) by [The Bankruptcy \(Scotland\) Act 2016 \(Consequential Provisions and Modifications\) Order 2016 \(S.I. 2016/1034\)](#), art. 1, **Sch. 1 para. 35(4)(a)(ii)**
- F6** Word in s. 6(3)(b) inserted (30.11.2016) by [The Bankruptcy \(Scotland\) Act 2016 \(Consequential Provisions and Modifications\) Order 2016 \(S.I. 2016/1034\)](#), art. 1, **Sch. 1 para. 35(4)(a)(iii)**
- F7** Word in s. 6(3)(c) substituted (30.11.2016) by [The Bankruptcy \(Scotland\) Act 2016 \(Consequential Provisions and Modifications\) Order 2016 \(S.I. 2016/1034\)](#), art. 1, **Sch. 1 para. 35(4)(a)(iv)**
- F8** S. 6(3)(d) and word omitted (30.11.2016) by virtue of [The Bankruptcy \(Scotland\) Act 2016 \(Consequential Provisions and Modifications\) Order 2016 \(S.I. 2016/1034\)](#), art. 1, **Sch. 1 para. 35(4)(a)(v)**
- F9** S. 6(4)(b) substituted (1.8.2016 being the day appointed for the coming into force of 2010 c. 10 by S.I. 2016/550) by [Insurance Act 2015 \(c. 4\)](#), s. 23(3)(b), **Sch. 2 para. 3(3)**
- F10** S. 6(4A)(4B) inserted (1.8.2016 immediately after 2010 c. 10 and 2015 c. 4, s. 20, Sch. 2 come into force by virtue of S.I. 2016/550) by [The Third Parties \(Rights against Insurers\) Regulations 2016 \(S.I. 2016/570\)](#), regs. 1(1), **3(1)**
- F11** Words in s. 6(5) substituted (1.8.2016 immediately after 2010 c. 10 and 2015 c. 4, s. 20, Sch. 2 come into force by virtue of S.I. 2016/550) by [The Third Parties \(Rights against Insurers\) Regulations 2016 \(S.I. 2016/570\)](#), regs. 1(1), **7(1)(b)**
- F12** Words in s. 6(6) substituted (1.8.2016 immediately after 2010 c. 10 and 2015 c. 4, s. 20, Sch. 2 come into force by virtue of S.I. 2016/550) by [The Third Parties \(Rights against Insurers\) Regulations 2016 \(S.I. 2016/570\)](#), regs. 1(1), **7(1)(b)**
- F13** Words in s. 6(7) substituted (30.11.2016) by [The Bankruptcy \(Scotland\) Act 2016 \(Consequential Provisions and Modifications\) Order 2016 \(S.I. 2016/1034\)](#), art. 1, **Sch. 1 para. 35(4)(b)**
- F14** S. 6(8) omitted (30.11.2016) by virtue of [The Bankruptcy \(Scotland\) Act 2016 \(Consequential Provisions and Modifications\) Order 2016 \(S.I. 2016/1034\)](#), art. 1, **Sch. 1 para. 35(4)(c)**
- F15** Words in s. 6(9)(c) substituted (30.11.2016) by [The Bankruptcy \(Scotland\) Act 2016 \(Consequential Provisions and Modifications\) Order 2016 \(S.I. 2016/1034\)](#), art. 1, **Sch. 1 para. 35(4)(d)**

Commencement Information

- I1** S. 6 in force at 1.8.2016 by [S.I. 2016/550](#), **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Third Parties (Rights against Insurers) Act 2010, Section 6.