
Changes to legislation: Deregulation Act 2015, PART 2 is up to date with all changes known to be in force on or before 06 May 2024. 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) View outstanding changes

SCHEDULES

SCHEDULE 6

INSOLVENCY AND COMPANY LAW

PART 2

ADMINISTRATION OF COMPANIES

- 4 Schedule B1 to the Insolvency Act 1986 (administration of companies) is amended in accordance with paragraphs 5 to 7.

Commencement Information

- II** Sch. 6 para. 4 in force at 1.10.2015 by S.I. 2015/1732, art. 2(e)(ii)

Appointment of administrators

- 5 After paragraph 25 (circumstances in which an administrator of a company may not be appointed under paragraph 22) and before the italic cross-heading following paragraph 25 insert—
- “25A(1) Paragraph 25(a) does not prevent the appointment of an administrator of a company if the petition for the winding up of the company was presented after the person proposing to make the appointment filed the notice of intention to appoint with the court under paragraph 27.
- (2) But sub-paragraph (1) does not apply if the petition was presented under a provision mentioned in paragraph 42(4).”
- 6 In paragraph 26 (notice by company, or directors of company, of intention to appoint administrator), in sub-paragraph (2) (requirement to give additional notice), for “proposes to make an appointment under paragraph 22” substitute “ gives notice of intention to appoint under sub-paragraph (1) ”.

Commencement Information

- I2** Sch. 6 para. 6 in force at 1.10.2015 by S.I. 2015/1732, art. 2(e)(ii)

Release of administrator where no distribution to unsecured creditors other than by virtue of section 176A(2)(a)

- 7 (1) Paragraph 98 (vacation of office of administrator: discharge from liability) is amended as follows.

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- (2) In sub-paragraph (2)(b) (when discharge takes effect in case of administrator appointed under paragraph 14 or 22), after “22” insert “ who has not made a statement under paragraph 52(1)(b) ”.
- (3) In sub-paragraph (2), after paragraph (b) (but before the “or” following it) insert—
 - “(ba) in the case of an administrator appointed under paragraph 14 or 22 who has made a statement under paragraph 52(1)(b), at a time decided by the relevant creditors,”.
- (4) In sub-paragraph (3)—
 - (a) for the words before paragraph (a) substitute “ For the purposes of sub-paragraph (2)(ba), the “relevant creditors” of a company are— ”;
 - (b) in paragraph (b), for “give or withhold approval” substitute “ decide on the time of discharge ”.

Commencement Information

I3 Sch. 6 para. 7 in force at 1.10.2015 by S.I. 2015/1732, art. 2(e)(ii)

Changes to legislation:

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2015/994 art. 13 Sch. by [S.I. 2015/1405 art. 2\(3\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 110A inserted by [2016 c. 12 s. 16\(1\)](#)