

## SCHEDULES

### SCHEDULE 2

Section 20

#### RIGHTS OF THIRD PARTIES AGAINST INSURERS: RELEVANT INSURED PERSONS

1 The Third Parties (Rights against Insurers) Act 2010 is amended as follows.

##### *Individuals subject to debt relief orders in Northern Ireland*

- 2 (1) Section 4 (relevant persons: individuals) is amended as follows.
- (2) In subsection (3), after paragraph (b) (deed of arrangements registered under the Insolvency (Northern Ireland) Order 1989) insert—
- “(ba) subject to subsection (4), a debt relief order made under Part 7A of that Order,”.
- (3) In subsection (4) (individuals who are relevant persons for the purposes of section 1(1)(b) only), after “(1)(d)” insert “or (3)(ba)”.

##### *Corporate bodies etc in administration*

- 3 (1) Section 6 (corporate bodies etc) is amended as follows.
- (2) In subsection (2) (events under the Insolvency Act 1986), for paragraph (b) substitute—
- “(b) the body is in administration under Schedule B1 to that Act,”.
- (3) In subsection (4) (events under the Insolvency (Northern Ireland) Order 1989), for paragraph (b) substitute—
- “(b) the body is in administration under Schedule B1 to that Order,”.

##### *Transitional cases*

- 4 In section 1(5)(b) (definition of “relevant person”), at the end insert “(and see also paragraph 1A of Schedule 3)”.
- 5 (1) Schedule 3 (transitory, transitional and saving provision) is amended as follows.
- (2) At the beginning insert—

##### *“Application of this Act”.*

- (3) After paragraph 1 insert—

##### *“Relevant persons*

- 1A (1) An individual, company or limited liability partnership not within sections 4 to 7 is to be treated as a relevant person for the purposes of this Act in the following cases.

---

*Status: This is the original version (as it was originally enacted).*

---

- (2) The first case is where an individual—
  - (a) became bankrupt before commencement day, and
  - (b) has not been discharged from that bankruptcy.
- (3) The second case is where—
  - (a) an individual made a composition or arrangement with his or her creditors before commencement day, and
  - (b) the composition or arrangement remains in force.
- (4) The third case is where—
  - (a) a winding-up order was made, or a resolution for a voluntary winding-up was passed, with respect to a company or limited liability partnership before commencement day, and
  - (b) the company or partnership is still wound up.
- (5) The fourth case is where a company or limited liability partnership—
  - (a) entered administration before commencement day, and
  - (b) is still in administration.
- (6) The fifth case is where—
  - (a) a receiver or manager of the business or undertaking of a company or limited liability partnership was appointed before commencement day, and
  - (b) the appointment remains in force.
- (7) In those cases, the person is a relevant person only in relation to liabilities under a contract of insurance under which the person was insured at the time of the event mentioned in sub-paragraph (2)(a), (3)(a), (4)(a), (5)(a) or (6)(a) (as appropriate).”

(4) Before paragraph 2 insert—

*“Bankruptcy and Diligence etc (Scotland) Act 2007”.*

(5) Before paragraph 3 insert—

*“Application of 1930 Acts”.*

(6) Before paragraph 5 insert—

*“Interpretation”.*

### *Interpretation*

6 After section 19 insert—

#### **“19A Interpretation**

- (1) The references to enactments in sections 4 to 7, 9(7) and 14(4) and paragraph 3(2)(b), (4) and (5) of Schedule 1 are to be treated as including references to those enactments as amended, extended or applied by another enactment, whenever passed or made, unless the contrary intention appears.

- (2) In this Act, “enactment” means an enactment contained in, or in an instrument made under, any of the following—
- (a) an Act;
  - (b) an Act or Measure of the National Assembly for Wales;
  - (c) an Act of the Scottish Parliament;
  - (d) Northern Ireland legislation.”