

SCHEDULE 2

Article 3(2)

Amendment of disqualification provision made by Act of Parliament

Public Trustee Act 1906

1. In section 13(4) of the Public Trustee Act 1906 **(1)** (investigation and audit of trust accounts), after “or dies,” insert “or has a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986),”.

Commencement Information

I1 Sch. 2 para. 1 in force at 1.10.2012, see [art. 1](#)

Agriculture Act 1947

2. In paragraph 13(4) of Schedule 9 to the Agriculture Act 1947**(2)** (chairman of Agricultural Land Tribunal), after “creditors” insert “, or if a debt relief order (under Part 7A of the Insolvency Act 1986) is made in respect of the chairman”.

Commencement Information

I2 Sch. 2 para. 2 in force at 1.10.2012, see [art. 1](#)

Agriculture Act 1967

3. In paragraph 6(a) of Part II of Schedule 5 to the Agriculture Act 1967**(3)** (constitution and procedure of boards), after “bankrupt or” insert “has had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986) or has”.

Commencement Information

I3 Sch. 2 para. 3 in force at 1.10.2012, see [art. 1](#)

Development of Tourism Act 1969

4.—(1) Schedule 1 to the Development of Tourism Act 1969**(4)** (incorporation and status of Tourist Boards) is amended as follows.

(2) After paragraph 5(1)(b) insert —

“(ba) has had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986); or”.

(3) After paragraph 5(2) insert —

“(3) In this paragraph, references to a member of the Board do not, in so far as sub-paragraph (1)(ba) applies, include persons who are members of VisitScotland.”

(1) 1906 c.55.

(2) 1947 c.48, Schedule 9, paragraph 13(4) amended by the Constitutional Reform Act 2005 (c.4), section 15(1), Schedule 4, part 1.

(3) 1967 c.22.

(4) 1969 c.51.

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Commencement Information

I4 Sch. 2 para. 4 in force at 1.10.2012, see [art. 1](#)

Local Government Act 1972

5. In section 80(1)(b) of the Local Government Act 1972(**5**) (disqualifications for election etc), for “or interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986”.

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Commencement Information

I5 Sch. 2 para. 5 in force at 1.10.2012, see [art. 1](#)

Health and Safety at Work Act etc 1974

6. In paragraph 5(b) of Schedule 2 to the Health and Safety at Work etc. Act 1974(**6**) (the Health and Safety Executive – terms of appointment), after “bankrupt or” insert “has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him or”.

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Commencement Information

I6 Sch. 2 para. 6 in force at 1.10.2012, see [art. 1](#)

Consumer Credit Act 1974

7. In section 37(1)(b) of the Consumer Credit Act 1974(**7**) (death, bankruptcy etc of licensee), after “bankrupt” insert “or has a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986)”.

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Commencement Information

I7 Sch. 2 para. 7 in force at 1.10.2012, see [art. 1](#)

Solicitors Act 1974

8.—(1) The Solicitors Act 1974 (**8**) is amended as follows.

(2) In section 15(1) (suspension of practising certificate), after “bankruptcy of a solicitor” insert “or the making of a debt relief order (under Part 7A of the Insolvency Act 1986) in respect of a solicitor”.

(3) In section 16 (duration of suspension)—

(a) after subsection (2) insert—

(5) 1972 c.70, section 80(1)(b) was substituted by the Enterprise Act 2002 (c.40), section 267(1).

(6) 1974 c.37, Schedule 2 substituted by S.I. 2008/960 articles 3, 20 and Schedule 1.

(7) 1974 c.39.

(8) 1974 c.47.

“(2A) The suspension of a practising certificate by virtue of section 15(1) by reason of the making of a debt relief order shall terminate—

(a) if the debt relief order is revoked on the ground mentioned in section 251L(2) (c) or (d) of the Insolvency Act 1986 and a copy of the notice provided to the debtor under Rule 5A.16 of the Insolvency Rules 1986 is served on the Society or the debt relief order is revoked by the court under section 251M(6)(e) of that Act and a copy of the court order is served on the Society;

(b) if the debt relief order is revoked and a period of one year has elapsed beginning with the effective date of that order.”.

(b) in subsection (3)(b) after “bankruptcy” insert “or the making of a debt relief order (under Part 7A of the Insolvency Act 1986) in respect of him”.

Commencement Information

18 Sch. 2 para. 8 in force at 1.10.2012, see [art. 1](#)

Industry Act 1975

9. In paragraph 6(1)(c) of Schedule 3 to the Industry Act 1975(9) (establishment of a tribunal), for “or an interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986”.

Commencement Information

19 Sch. 2 para. 9 in force at 1.10.2012, see [art. 1](#)

Estate Agents Act 1979

10.—(1) Section 23 of the Estate Agents Act 1979(10) (bankrupts) is amended as follows.

(2) After subsection (1), insert—

“(1A) An individual in respect of whom a debt relief order (under Part 7A of the Insolvency Act 1986) is made shall not engage in estate agency work of any description except as an employee of another person”.

(3) After subsection (2), insert—

“(2A) The prohibition imposed on an individual by subsection (1A) shall cease to have effect if and when—

(a) the debt relief order is revoked for reasons falling within section 251(L)(2)(a) or (c) of the Insolvency Act 1986;

(b) the individual is discharged from all the qualifying debts specified under the debt relief order at the end of the moratorium period applicable to the order; or

(c) the debt relief order is revoked and a period of one year has elapsed beginning with the effective date for the order.”.

(9) 1975 c.68, Schedule 3, paragraph 6(1)(c) amended by the Judicial Pensions Retirement Act 1993 (c.8) and S.I. 2006/1722 article 2(2), Schedule 2, part 1, paragraph 1(a).

(10) 1979 c.38.

(4) In subsection (3), for “The reference in subsection (1) above” substitute “The references in this section”.

(5) In subsection (4), for “of subsection (1) above” substitute “of this section”.

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Commencement Information

I10 Sch. 2 para. 10 in force at 1.10.2012, see [art. 1](#)

National Heritage Act 1980

11. In Schedule 1 to the National Heritage Act 1980(**11**) (trustees of National Heritage Memorial Fund – tenure of office), after paragraph 3(4)(b) insert—

“(ba) he is a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986);”.

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Commencement Information

I11 Sch. 2 para. 11 in force at 1.10.2012, see [art. 1](#)

Local Government, Planning and Land Act 1980

12. In paragraph 6(a) of Schedule 26 to the Local Government, Planning and Land Act 1980(**12**) (Urban Development Corporations – members), after “bankrupt or” insert “has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him or has”.

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Commencement Information

I12 Sch. 2 para. 12 in force at 1.10.2012, see [art. 1](#)

Public Passenger Vehicles Act 1981

13.—(1) The Public Passenger Vehicles Act 1981(**13**) is amended as follows.

(2) In section 19, after subsection (3)(a) insert—

“(aa) the making of a debt relief order in respect of the holder (under Part 7A of the Insolvency Act 1986); or”.

(3) In section 57(2)(b) (death, bankruptcy etc of licence holder), after “bankrupt or” insert “has a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him, or”.

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Commencement Information

I13 Sch. 2 para. 13 in force at 1.10.2012, see [art. 1](#)

(11) 1980 c.17.

(12) 1980 c.65.

(13) 1981 c.14, section 57(2) amended by the Transport Act 1985 (c. 67), sections 1, 139(3), Schedule 1 paragraph and Schedule 8.

Fisheries Act 1981

14. In Schedule 1 to the Fisheries Act 1981(14) (the Sea Fish Industry Authority – members), after paragraph 5(b) insert—

“(ba) a moratorium period under a debt relief order applies in relation to him (under Part 7A of the Insolvency Act 1986);”.

Commencement Information

I14 Sch. 2 para. 14 in force at 1.10.2012, see [art. 1](#)

Transport Act 1981

15. In paragraph 3(2)(a) of Schedule 2 to the Transport Act 1981(15) (Associated British Ports - resignation and vacation of office), for “or an interim order” substitute “, an interim bankruptcy restrictions order, a debt relief restrictions order or an interim debt relief restrictions order (under Schedule 4ZB of the Insolvency Act 1986)”.

Commencement Information

I15 Sch. 2 para. 15 in force at 1.10.2012, see [art. 1](#)

New Towns Act 1981

16. In paragraph 5(a) of Schedule 3 to the New Towns Act 1981(16) (development corporations – appointment and tenure of members), after “creditors” insert “or has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him”.

Commencement Information

I16 Sch. 2 para. 16 in force at 1.10.2012, see [art. 1](#)

Civil Aviation Act 1982

17. In paragraph 5(1)(b) of Schedule 1 to the Civil Aviation Act 1982(17) (Civil Aviation Authority – appointment and tenure of members), after “bankrupt or” insert “has had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986), or has”.

Commencement Information

I17 Sch. 2 para. 17 in force at 1.10.2012, see [art. 1](#)

(14) 1981 c.29.

(15) 1981 c.56, Schedule 2, paragraph 3(2)(a) amended by S.I. 2006/1722, article 2(2), Schedule 2, part 1, paragraph 3(b).

(16) 1981 c.64.

(17) 1982 c.16.

National Heritage Act 1983

18. In paragraph 3(7)(b) of Schedule 3 to the National Heritage Act 1983(**18**) (the Historic Buildings and Monuments Commission for England – membership), after “bankrupt or” insert “has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him or has”.

Commencement Information

I18 Sch. 2 para. 18 in force at 1.10.2012, see [art. 1](#)

Local Government Act 1985

19. In paragraph 2(3)(a) of Schedule 13 to the Local Government Act 1985(**19**) (residuary bodies – tenure of office of members), after “bankrupt or” insert “has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him or”.

Commencement Information

I19 Sch. 2 para. 19 in force at 1.10.2012, see [art. 1](#)

Administration of Justice Act 1985

20.—(1) The Administration of Justice Act 1985(**20**) is amended as follows.

(2) In section 16 (conditional licences)—

(a) in subsection (1)—

(i) after paragraph (f), insert—

“(fa) while a moratorium under a debt relief order applies in relation to him (under Part 7A of the Insolvency Act 1986);” and

(ii) after paragraph (g), insert—

“(ga) after a debt relief order has been made in respect of him and at the end of the moratorium period applicable to the order he has been discharged from all the qualifying debts specified in the order;”;

(b) in subsection (4)—

(i) after “(f)” insert “(fa)”;

(ii) after “(g)” insert “(ga)”.

(3) In section 18 (suspension or termination of licences)—

(a) in subsection (1)—

(i) after “licensed conveyancer” insert “or a debt relief order (under Part 7A of the Insolvency Act 1986) is made in respect of a licensed conveyancer”; and

(ii) after “any such adjudication” insert “or any such order”;

(b) after subsection (2) insert—

“(2ZA) The suspension of a licence by virtue of subsection (1) shall terminate—

(18) 1983 c.47.

(19) 1985 c.51.

(20) 1985 c.61, section 16(4) amended by the Legal Services Act 2007 (c.29), section 182, Schedule 17, part 1, paragraph 1, 5(1), (3)(b).

- (a) if the debt relief order is revoked for reasons falling within section 251L(2)(d) of the Insolvency Act 1986 and a copy of the notice of the decision to revoke given to the debtor pursuant to Rule 5A.16 of the Insolvency Rules 1986 is provided to the Council or the debt relief order is revoked by the court under section 251M(e) and a copy of the order is provided to the Council; or
- (b) if the debt relief order is revoked and a period of one year has elapsed beginning with the effective date of the order”.

Commencement Information

I20 Sch. 2 para. 20 in force at 1.10.2012, see [art. 1](#)

Housing Act 1985

21. In section 121(2) of the Housing Act 1985(**21**) (circumstances in which the right to buy cannot be exercised)—

- (a) at the end of paragraph (c) omit “or”,
- (b) after paragraph (d) insert—
 - “or
 - (e) is a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986).”.

Commencement Information

I21 Sch. 2 para. 21 in force at 1.10.2012, see [art. 1](#)

Animals (Scientific Procedures) Act 1986

22. In section 19(7)(b) of the Animals (Scientific Procedures) Act 1986(**22**) (member of Animal Procedures Committee), after “bankrupt or”, insert “a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies in relation to him or her”.

Commencement Information

I22 Sch. 2 para. 22 in force at 1.10.2012, see [art. 1](#)

Insolvency Act 1986

23. In section 389A(3) of the Insolvency Act 1986(**23**) (authorisation of nominees and supervisors), after paragraph (a) insert—

- “(aa) a moratorium period under a debt relief order applies in relation to him (under Part 7A of this Act),”.

(21) 1985 c.68.

(22) 1986 c.14.

(23) 1986 c 45, section 389A inserted by the Insolvency Act 2000 (c.39), sections 4(1) and (4).

Changes to legislation: There are currently no known outstanding effects for the The Tribunals, Courts and Enforcement Act 2007 (Consequential Amendments) Order 2012, SCHEDULE 2. (See end of Document for details)

Commencement Information

I23 Sch. 2 para. 23 in force at 1.10.2012, see [art. 1](#)

Criminal Justice Act 1988

24.—(1) The Criminal Justice Act 1988(**24**) is amended as follows.

(2) In section 172(3) (extent), after “section 133 to 133B” insert “, with the exception of paragraph 5(ba) of Schedule 12 which extends to England and Wales and Scotland only”.

(3) In Schedule 12 (assessors for compensation for miscarriages of justice), after paragraph 5(b) insert—

“(ba) a debt relief order (under Part 7A of the Insolvency Act 1986) has been made in respect of him;”.

Commencement Information

I24 Sch. 2 para. 24 in force at 1.10.2012, see [art. 1](#)

Housing Act 1988

25. In paragraph 6(a) of Schedule 7 to the Housing Act 1988(**25**) (Housing Action Trusts – constitution), after “creditors” insert “or has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him”.

Commencement Information

I25 Sch. 2 para. 25 in force at 1.10.2012, see [art. 1](#)

Human Fertilisation and Embryology Act 1990

26. In paragraph 4A(1)(a) of Schedule 1 to the Human Fertilisation and Embryology Act 1990(**26**) (disqualification for being appointed to Authority), for “or interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986”.

Commencement Information

I26 Sch. 2 para. 26 in force at 1.10.2012, see [art. 1](#)

Environmental Protection Act 1990

27. In paragraph 6(a) of Schedule 6 to the Environmental Protection Act 1990(**27**) (the Countryside Council for Wales – constitution and membership), after “bankrupt or” insert “had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him or”.

(24) 1988 c.33, section 172(3) amended by the Offensive Weapons Act 1996 (c.26), section 4(2).

(25) 1988 c.50.

(26) 1990 c.37, paragraph 4A inserted by the Human Fertilisation and Embryology Act 2008 (c.22), section 5, Schedule 1.

(27) 1990 c.43.

Commencement Information

I27 Sch. 2 para. 27 in force at 1.10.2012, see [art. 1](#)

Trade Union and Labour Relations (Consolidation) Act 1992

28.—(1) The Trade Union and Labour Relations (Consolidation) Act 1992(**28**) is amended as follows.

(2) In section 249(5)(b) (terms of appointment of members of the Council of the Advisory, Conciliation and Arbitration Service), after “bankrupt or” insert “has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him or has”.

(3) In section 261(5)(a) (terms of appointment of members of the Central Arbitration Committee), after “bankrupt or” insert “has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him or has”.

Commencement Information

I28 Sch. 2 para. 28 in force at 1.10.2012, see [art. 1](#)

National Lottery etc Act 1993

29.—(1) The National Lottery etc Act 1993(**29**) is amended as follows.

(2) In paragraph 3(5)(b) of Schedule 2A (National Lottery Commission – tenure of office), after “his creditors,” where it occurs for the first time, insert “has had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986),”.

(3) In paragraph 4(1)(a) of Schedule 4A (Big Lottery Fund – tenure of membership), after “against him,” insert “or a debt relief order has been made in respect of him (under Part 7A of the Insolvency Act 1986),”.

Commencement Information

I29 Sch. 2 para. 29 in force at 1.10.2012, see [art. 1](#)

Coal Industry Act 1994

30. In paragraph 1(4)(b) of Schedule 1 to the Coal Industry Act 1994(**30**) (membership of the Coal Authority), after “sequestered” insert “, that a debt relief order has been made in respect of him”.

Commencement Information

I30 Sch. 2 para. 30 in force at 1.10.2012, see [art. 1](#)

(28) [1992 c.52](#).

(29) [1993 c.39](#), Schedule 2A inserted by the National Lottery Act [1998 \(c.22\)](#), section 1(5), Schedule 1, paragraph 7; Schedule 4A inserted by the National Lottery Act 2006, section 14(2), Schedule 2; paragraph 4 (1) of Schedule 4A amended by [S.I. 2011/739](#).

(30) [1994 c.21](#).

Trade Marks Act 1994

31. In section 77(3)(c)(i) of the Trade Marks Act 1994(**31**) (persons appointed to hear and determine appeals), after “bankrupt or” insert “a debt relief order (under Part 7A of the Insolvency Act 1986) has been made in respect of him or he has”.

Commencement Information

I31 Sch. 2 para. 31 in force at 1.10.2012, see [art. 1](#)

Goods Vehicles (Licensing of Operators) Act 1995

32. In section 26(1)(g) of the Goods Vehicles (Licensing of Operators) Act 1995(**32**) (revocation, suspension and curtailment of operators’ licences), after “bankrupt” insert “or has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him”.

Commencement Information

I32 Sch. 2 para. 32 in force at 1.10.2012, see [art. 1](#)

Environment Act 1995

33.—(1) The Environment Act 1995(**33**) is amended as follows.

(2) In paragraph 1(3)(b) of Schedule 1 (the Environment Agency – membership), after “bankrupt,” insert “that a debt relief order (under Part 7A of the Insolvency Act 1986) has been made in respect of him,”.

(3) In paragraph 7(b) of Schedule 6 (the Scottish Environment Protection Agency – membership), after “bankrupt,” insert “has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him,”.

Commencement Information

I33 Sch. 2 para. 33 in force at 1.10.2012, see [art. 1](#)

Pensions Act 1995

34.—(1) The Pensions Act 1995(**34**) is amended as follows.

(2) In section 4 (suspension Orders)—

- (a) in subsection (1)(c) after “concluded”, insert “or an application has been made by him for a debt relief order (under Part 7A of the Insolvency Act 1986) and the application has not been determined”;
- (b) in subsection (2)(b) after “concluded” insert “or, in the case of an application for a debt relief order, the application is determined”.

(3) In section 29 (persons disqualified for being trustees) in subsection (1)—

- (a) in paragraph (b), after “interim”, insert “bankruptcy restrictions”;

(31) 1994 c.26.

(32) 1995 c.23.

(33) 1995 c.25.

(34) 1995 c.26, section 4(2) amended the Pensions Act 2004 (c.35), section 34(b); section 29(1)(b) amended by S.I. 2006/1722.

(b) after paragraph (b) insert—

“(ba) a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies in relation to him or he is the subject of a debt relief restrictions order or an interim debt relief restrictions order (under Schedule 4ZB of the Insolvency Act 1986).”.

Commencement Information

I34 Sch. 2 para. 34 in force at 1.10.2012, see [art. 1](#)

Employment Tribunals Act 1996

35. In section 25(4)(b) of the Employment Tribunals Act 1996(**35**) (tenure of appointed members), after “bankrupt or” insert “had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him or has”.

Commencement Information

I35 Sch. 2 para. 35 in force at 1.10.2012, see [art. 1](#)

Housing Act 1996

36. In paragraph 4(2)(a) of Schedule 1 to the Housing Act 1996(**36**) (registered social landlord – power to remove director, trustee, member etc.), after “bankrupt or” insert “a debt relief order (under Part 7A of the Insolvency Act 1986) has been made in respect of him, or he”.

Commencement Information

I36 Sch. 2 para. 36 in force at 1.10.2012, see [art. 1](#)

Public Processions (Northern Ireland) Act 1998

37. In paragraph 3(4)(b) of Schedule 1 to the Public Processions (Northern Ireland) Act 1998(**37**), after “bankrupt or” insert “a debt relief order (under Part 7A of the Insolvency Act 1986) has been made in respect of him or he has”.

Commencement Information

I37 Sch. 2 para. 37 in force at 1.10.2012, see [art. 1](#)

Bank of England Act 1998

38.—(1) The Bank of England Act 1998(**38**) is amended as follows.

(35) [1996 c.17](#).

(36) [1996 c.52](#), Schedule 1, paragraph 4 amended by Housing (Wales) Measure [2011 \(c.5\)](#), section 84; Schedule 1, paragraph 4(2) amended by the Housing Regeneration Act [2008 \(c.17\)](#), section 61.

(37) [1998 c.2](#).

(38) [1998 c.11](#).

Changes to legislation: There are currently no known outstanding effects for the The Tribunals, Courts and Enforcement Act 2007 (Consequential Amendments) Order 2012, SCHEDULE 2. (See end of Document for details)

(2) In paragraph 8(b) of Schedule 1 (Court of directors – removal from office), after “bankrupt” insert “, that a debt relief order (under Part 7A of the Insolvency Act 1986) has been made in respect of him”.

(3) In paragraph 9(1)(b) of Schedule 3 (Monetary Policy Committee – removal of appointed members), after “bankrupt” insert “, that a debt relief order (under Part 7A of the Insolvency Act 1986) has been made in respect of him”.

Commencement Information

I38 Sch. 2 para. 38 in force at 1.10.2012, see [art. 1](#)

Audit Commission Act 1998

39. In paragraph 4(4)(a) of Schedule 1 to the Audit Commission Act 1998(**39**) (the Audit Commission – tenure of office), after “creditors” insert “, or has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him”.

Commencement Information

I39 Sch. 2 para. 39 in force at 1.10.2012, see [art. 1](#)

National Minimum Wage Act 1998

40. In paragraph 1(6)(a) of Schedule 1 to the National Minimum Wage Act 1998(**40**) (Low Pay Commission – membership), after “bankrupt,” insert “has had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986),”.

Commencement Information

I40 Sch. 2 para. 40 in force at 1.10.2012, see [art. 1](#)

Access to Justice Act 1999

41. In paragraph 5(a) of Schedule 1 to the Access to Justice Act 1999(**41**) (Legal Services Commission - Tenure of members), after “creditors” insert “or has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him”.

Commencement Information

I41 Sch. 2 para. 41 in force at 1.10.2012, see [art. 1](#)

Greater London Authority Act 1999

42. In section 21(1)(c) of the Greater London Authority Act 1999(**42**) (disqualification from being the Mayor or an Assembly member), for “or an interim order” substitute “or an interim

(39) 1998 c.18.

(40) 1998 c.39.

(41) 1999 c.22, Schedule 1, paragraph 5 amended by S.I. 2005/3429, article 8, Schedule, paragraph 4(a).

(42) 1999 c.29, section 21(1)(c) substituted by S.I. 2006/1722, article 2(2), Schedule 2, part 1, paragraph 6(a).

bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986”.

Commencement Information

I42 Sch. 2 para. 42 in force at 1.10.2012, see [art. 1](#)

Food Standards Act 1999

43. In paragraph 4(a) of Schedule 1 to the Food Standards Act 1999⁽⁴³⁾ (Food Standards Agency – tenure of office of members), after “bankrupt,” insert “has had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986),”.

Commencement Information

I43 Sch. 2 para. 43 in force at 1.10.2012, see [art. 1](#)

Political Parties, Elections and Referendums Act 2000

44. In paragraph 3 of Schedule 1 to the Political Parties, Elections and Referendums Act 2000⁽⁴⁴⁾ (the Electoral Commission – tenure of office)—

(a) after sub-paragraph (5) (d) insert—

“(da) a moratorium period under a debt relief order applies in relation to him (under Part 7A of the Insolvency Act 1986);”;

(b) after sub-paragraph (8) insert—

“(9) In this paragraph, sub-paragraph (5)(da) does not extend to Gibraltar.”.

Commencement Information

I44 Sch. 2 para. 44 in force at 1.10.2012, see [art. 1](#)

Private Security Industry Act 2001

45. In paragraph 3(1)(d) of Schedule 1 to the Private Security Industry Act 2001⁽⁴⁵⁾ (the Security Industry Authority – membership), after sub-paragraph (d) insert—

“(da) a moratorium period under a debt relief order applies in relation to him (under Part 7A of the Insolvency Act 1986),”.

Commencement Information

I45 Sch. 2 para. 45 in force at 1.10.2012, see [art. 1](#)

⁽⁴³⁾ 1999 c.28.

⁽⁴⁴⁾ 2000 c.41.

⁽⁴⁵⁾ 2001 c.12, Schedule 1, paragraph 3(1) amended by the Serious Organised Crime and Police Act 2006 (c15), section 171(1), schedule 15, paragraphs 1, 13(b).

Office of Communications Act 2002

46. In paragraph 2(4)(a) of the Schedule to the Office of Communications Act 2002(46) (the Office of Communications – membership), after “bankrupt” insert “or a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986),”.

Commencement Information

I46 Sch. 2 para. 46 in force at 1.10.2012, see [art. 1](#)

Education Act 2002

47. In paragraph 4(a) of Schedule 11 to the Education Act 2002(47) (school teachers’ review body – membership), after “bankrupt” insert “or has a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986)”.

Commencement Information

I47 Sch. 2 para. 47 in force at 1.10.2012, see [art. 1](#)

Railways and Transport Safety Act 2003

48.—(1) The Railways and Transport Safety Act 2003(48) is amended as follows.

(2) In paragraph 2(c) of Schedule 1 (dismissal of member of Office of Rail Regulation), for “(or interim order)” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986”.

(3) In paragraph 7(3)(a) of Schedule 4 (British Transport Police Authority – disqualification), for “(or interim order)” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986”.

Commencement Information

I48 Sch. 2 para. 48 in force at 1.10.2012, see [art. 1](#)

Local Government Act 2003

49. In paragraph 2(1)(b) of Schedule 4 to the Local Government Act 2003(49) (disqualification for being appointed member of Valuation Tribunal Service), for “or interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986”.

Commencement Information

I49 Sch. 2 para. 49 in force at 1.10.2012, see [art. 1](#)

(46) 2002 c.11.

(47) 2002 c.32.

(48) 2003 c.20.

(49) 2003 c.26.

Energy Act 2004

- 50.**—(1) The Energy Act 2004(**50**) is amended as follows.
- (2) In paragraph 1(7) of Schedule 1 (Nuclear Decommissioning Authority – tenure of office)—
- (a) in paragraph (a), after “discharged”, insert “or a moratorium period under a debt relief order applies in relation to him (under Part 7A of the Insolvency Act 1986)”; and
 - (b) in paragraph (b), at the end, insert “or a debt relief restrictions order or an interim debt relief restrictions order (under Schedule 4ZB of the Insolvency Act 1986)”.
- (3) In paragraph 2(6) of Schedule 10 (Civil Nuclear Police Authority – terms of appointment)—
- (a) in paragraph (a), after “discharged”, insert “or a moratorium period under a debt relief order applies in relation to him (under Part 7A of the Insolvency Act 1986)”; and
 - (b) in paragraph (b), at the end, insert “or a debt relief restrictions order or an interim debt relief restrictions order (under Schedule 4ZB of the Insolvency Act 1986)”.

Commencement Information

I50 Sch. 2 para. 50 in force at 1.10.2012, see [art. 1](#)

Human Tissue Act 2004

51. In paragraph 3(1)(a) of Schedule 2 to the Human Tissue Act 2004(**51**) (Human Tissue Authority - disqualification), for “or interim order” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986”.

Commencement Information

I51 Sch. 2 para. 51 in force at 1.10.2012, see [art. 1](#)

Constitutional Reform Act 2005

- 52.**—(1) The Constitutional Reform Act 2005(**52**) is amended as follows.
- (2) In paragraph 15(2)(c) of Schedule 12 (Judicial Appointments Commission), after “undischarged bankrupt” insert “or a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986)”.
- (3) In paragraph 5(2)(e) of Schedule 13 (Judicial Appointments and Conduct Ombudsman), after “undischarged bankrupt” insert “or a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986)”.

Commencement Information

I52 Sch. 2 para. 52 in force at 1.10.2012, see [art. 1](#)

(50) 2004 c.20.

(51) 2004 c.30.

(52) 2005 c.4.

Mental Capacity Act 2005

53.—(1) The Mental Capacity Act 2005(**53**) is amended as follows.

(2) In section 10(2) (appointment of donees) after “bankrupt” insert “or is a person in relation to whom a debt relief order is made”.

(3) In section 13 (revocation of lasting power of attorney)—

- (a) in subsection (3) after “bankruptcy” insert “, or the making of a debt relief order (under Part 7A of the Insolvency Act 1986) in respect of P.”;
- (b) in subsection (4) after “in respect of him” insert “or where P is subject to an interim debt relief restrictions order (under Schedule 4ZB of the Insolvency Act 1986)”;
- (c) in subsection (6)(b) after “donee” where it first appears insert “or the making of a debt relief order (under Part 7A of the Insolvency Act 1986) in respect of the donee”;
- (d) in subsection (8) after “donee” insert “or the making of a debt relief order (under Part 7A of the Insolvency Act 1986) in respect of a donee”;
- (e) in subsection (9) after “him” insert “or where the donee is subject to an interim debt relief restrictions order (under Schedule 4ZB of the Insolvency Act 1986),”.

(4) In section 64 (interpretation)—

(a) after subsection (3) insert—

“(3A) In this Act references to a debt relief order (under Part 7A of the Insolvency Act 1986) being made in relation to an individual include a case where a debt relief restrictions order under the Insolvency Act 1986 has effect in respect of him.”;

(b) after subsection (4) insert—

“(4A) “Debt relief restrictions order” includes an interim debt relief restrictions order.”.

(5) In paragraph 17(1)(a) of Schedule 1 (lasting powers of attorney: formalities) after “bankruptcy” insert “or a debt relief order (under Part 7A of the Insolvency Act 1986) having been made in respect of the donor”.

(6) In Schedule 4 (provisions applying to existing enduring powers of attorney)—

- (a) in paragraph 2(5)(a) after “bankrupt” insert “or is not subject to a debt relief order (under Part 7A of the Insolvency Act 1986)”;
- (b) in paragraph 2(7) after “attorney” insert “or the making of a debt relief order (under Part 7A of the Insolvency Act 1986) in respect of the donor or attorney”;
- (c) in paragraph 2(8) after “him” insert “or where the donor or attorney is subject to an interim debt relief restrictions order”;
- (d) in paragraph 17(b) after “attorney” where it first appears insert “or the making of a debt relief order (under Part 7A of the Insolvency Act 1986) in respect of the donor or attorney”;
- (e) in paragraph 22—
 - (i) after sub-paragraph (1) insert—

“(1A) In paragraph 2(7), the reference to the making of a debt relief order (under Part 7A of the Insolvency Act 1986) in respect of the attorney is to be read as a reference to the making of a debt relief order in respect of the last remaining attorney under the power; and the making of a debt relief order in respect of any other attorney under the power causes that person to cease to be an attorney under the power.”;
 - (ii) after sub-paragraph (2) insert—

“(2A) In paragraph 2(8), the reference to the suspension of the power is to be read as a reference to its suspension in so far as it relates to the attorney in respect of whom the interim debt relief restrictions order has effect.”.

Commencement Information

I53 Sch. 2 para. 53 in force at 1.10.2012, see [art. 1](#)

Serious Organised Crime and Police Act 2005

54.—(1) Paragraph 4 of Schedule 1 to the Serious Organised Crime and Police Act 2005(**54**) (Serious Organised Crime Agency –removal from office) is amended as follows.

(2) In sub-paragraph (d), after “discharged” insert “or a moratorium period under a debt relief order applies in relation to him (under Part 7A of the Insolvency Act 1986)”.

(3) After sub-paragraph (e), insert—

“(ea) he is the subject of a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986.”.

Commencement Information

I54 Sch. 2 para. 54 in force at 1.10.2012, see [art. 1](#)

Gambling Act 2005

55.—(1) The Gambling Act 2005(**55**) is amended as follows—

(2) In section 114(1)(c) (lapse), after “(c45),” insert “or a debt relief order is made in respect of the licensee (under Part 7A of the Insolvency Act 1986),”.

(3) In section 194(1)(c) (lapse), after “(c45),” insert “or a debt relief order is made in respect of the licensee (under Part 7A of the Insolvency Act 1986),”.

(4) In paragraph 15(1)(c) of Schedule 10 (family entertainment centre gaming machine permits), after “(c45),” insert “or a debt relief order is made in respect of him (under Part 7A of the Insolvency Act 1986)”.

(5) In paragraph 15(1)(c) of Schedule 14 (prize gaming permits), after “(c45),” insert “or a debt relief order is made in respect of him, (under Part 7A of the Insolvency Act 1986)”.

Commencement Information

I55 Sch. 2 para. 55 in force at 1.10.2012, see [art. 1](#)

Natural Environment and Rural Communities Act 2006

56.—(1) The Natural Environment and Rural Communities Act 2006(**56**) is amended as follows.

(54) 2005 c.15.

(55) 2005 c.19, section 114 modified by S.I. 2006/3267, article 2(2), Schedule, Table 2.

(56) 2006 c.16.

(2) In paragraph 7(b) of Schedule 1 (Natural England – removal from office), after “bankrupt” insert “or has had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986)”.

(3) In paragraph 7(b) of Schedule 2 (Commission for Rural Communities – removal from office), after “bankrupt” insert “or has had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986)”.

(4) In paragraph 6(b) of Schedule 4 (Joint Nature Conservation Committee – removal from office), after “bankrupt” insert “or had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986)”.

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Commencement Information

I56 Sch. 2 para. 56 in force at 1.10.2012, see [art. 1](#)

National Health Service Act 2006

57. In paragraph 8(1) of Schedule 7 to the National Health Service Act 2006(**57**) (Public Benefit Corporations – constitution), after paragraph (a) insert “(aa) a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986)”.

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Commencement Information

I57 Sch. 2 para. 57 in force at 1.10.2012, see [art. 1](#)

Safeguarding Vulnerable Groups Act 2006

58.—(1) Paragraph 2(4) of Schedule 1 to the Safeguarding Vulnerable Groups Act 2006(**58**) (Independent Barring Board – tenure of office) is amended as follows.

(2) after paragraph (c) insert—

“(ca) a moratorium period under a debt relief order applies in relation to him (under Part 7A of the Insolvency Act 1986);”.

(3) after paragraph (d) insert—

“(da) he is the subject of a debt relief restrictions order or an interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act (c45);”.

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Commencement Information

I58 Sch. 2 para. 58 in force at 1.10.2012, see [art. 1](#)

Armed Forces Act 2006

59.—(1) The Armed Forces Act 2006(**59**) is amended as follows.

(2) In section 384 (extent to Channel Islands, Isle of Man and British overseas territories) after sub-paragraph (2) insert—

(57) 2006 c.41, Schedule 7, paragraph 8(1) amended by the Health and Social Care Act 2012 (c.7), section 151(9)(b).

(58) 2006 c.47.

(59) 2006 c.52, repealed by Armed Forces Act 2006 (c.52), Part 19 section 382(2) and continued by S.I. 2007/2123, S.I. 2008/1780, S.I. 2009/1752 and S.I. 2010/2475.

“(3) Paragraph 5(ba) of Schedule 9 does not extend to the Isle of Man or the British overseas territories.”.

(3) In Schedule 9 (assessors of compensation – removal from office)—

(a) at the end of sub-paragraph 5(b) omit “or”;

(b) after sub-paragraph 5(b) insert—

“(ba) has had a debt relief order made in respect of him (under Part 7A of the Insolvency Act 1986); or”.

Commencement Information

I59 Sch. 2 para. 59 in force at 1.10.2012, see [art. 1](#)

Statistics and Registration Service Act 2007

60. In section 4(4)(b) of the Statistics and Registration Service Act 2007(**60**) (Statistics Board - appointment), for “(or interim order)” substitute “or an interim bankruptcy restrictions order, or a debt relief restrictions order or interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986”.

Commencement Information

I60 Sch. 2 para. 60 in force at 1.10.2012, see [art. 1](#)

Legal Services Act 2007

61.—(1) The Legal Services Act 2007(**61**) is amended as follows.

(2) In paragraph 7(3)(c) of Schedule 1 (Legal Services Board – removal from office), after “bankrupt” insert “or is a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986)”.

(3) In paragraph 8(2)(c) of Schedule 15 (Office for Legal Complaints – removal from office), after “bankrupt” insert “or is a person in relation to whom a moratorium period under a debt relief order applies (under Part 7A of the Insolvency Act 1986)”.

Commencement Information

I61 Sch. 2 para. 61 in force at 1.10.2012, see [art. 1](#)

Charities Act 2011

62.—(1) The Charities Act 2011(**62**) is amended as follows.

(2) In section 80(1)(a)(other powers to remove or appoint charity trustee) after sub-paragraph (ii) insert—

“; or

(60) 2007 c.18.

(61) 2007 c.29.

(62) 2011 c.25.

Changes to legislation: There are currently no known outstanding effects for the The Tribunals, Courts and Enforcement Act 2007 (Consequential Amendments) Order 2012, SCHEDULE 2. (See end of Document for details)

(iii) having previously been the subject of a debt relief order, has been discharged from all the qualifying debts under the debt relief order;”.

(3) In section 178 (persons disqualified for being charity trustees or trustees of a charity), in subsection (1) after Case F insert—

“Case G

P is subject to—

- (a) a moratorium period under a debt relief order under Part 7A of the Insolvency Act 1986; or
- (b) a debt relief restrictions order or interim order under Schedule 4ZB to that Act”.

(4) In section 180(1) (disqualification: exception in relation to charitable companies), after “Case B” insert “or G”.

(5) In section 183(2)(b) (criminal consequences of acting while disqualified) for “or F” substitute “, F or G”.

Commencement Information

I62 Sch. 2 para. 62 in force at 1.10.2012, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Tribunals, Courts and Enforcement Act 2007 (Consequential Amendments) Order 2012, SCHEDULE 2.