The Insolvency (Amendment) (EU Exit) Regulations 2019

Temporal application and savings

4.—(1) Subject to regulation 5 nothing in these Regulations affects—

(a) the application of Council Regulation (EC) 1346/2000(1) to insolvency proceedings which fall within the scope of that Regulation and were opened before 26 June 2017; and

(b) the saving for the existing law in article 3 of the Insolvency Amendment (EU 2015/848) Regulations 2017(2).

(2) Where main proceedings under the EU Insolvency Regulation were opened before exit day the amendments made by these Regulations do not apply in respect of—

(a) those proceedings;

(b) secondary proceedings in respect of the same debtor;

(c) any proceedings falling within Article 6 of the EU Insolvency Regulation.

(3) In applying paragraphs (1) and (2) references to the EU and to its members are to be read as if the United Kingdom were a member.

(4) The time at which proceedings are opened is to be determined in accordance with Article 2(8) of the EU Insolvency Regulation.

(5) In this regulation and regulation 5 the EU Insolvency Regulation means Regulation (EU) 2015/848 of the European Parliament and of the Council on insolvency proceedings(3).

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(2) S.I. 2017/702.