
DRAFT STATUTORY INSTRUMENTS

2018 No.

The Further Education Bodies (Insolvency) Regulations 2018

PART 3

Specific modifications to relevant insolvency legislation

Modification of the Insolvency (England and Wales) Rules 2016

33.—(1) Paragraph (2) of rule 1.6 of the Rules is to be read as if the general modification of company in regulation 4 had not been made and as if, after “company other than one which is the subject of proceedings”, there were inserted—

- (a) in the first column, “Statutory corporation”; and
- (b) in the second column—

“In the case of a statutory corporation—

- (la) the full name of the statutory corporation;
- (lb) the address given for the statutory corporation in the UK Register of Learning Providers; and
- (lc) where the registrar has allocated to the statutory corporation a number pursuant to section 1066 of the Companies Act 2006, that number.”.

(2) Rule 1.20(1) of the Rules is to be read as if, in paragraph (1), after sub-paragraph (o), there were inserted—

- “(p) a resolution made under section 85 of the Act;
- (q) a notice by a liquidator of his appointment, delivered under section 109 of the Act”.

(3) Rule 1.21 of the Rules is to be read as if, in paragraph (1)(b), before paragraph (i) there were inserted—

- “(ai) the address of the statutory corporation,
- (aia) where the registrar has allocated to the statutory corporation a number pursuant to section 1066 of the Companies Act 2006, that number.”.

(4) The Rules are to be read as if, for rule 2.35, there were substituted—

“**2.35.** A member is entitled to vote in accordance with either the rights set out in the statutory corporation’s instrument and articles of government or, if no rights are given in the instrument of government and articles of government, in accordance with the provisions on meetings set out in regulation 5 of the Further Education Bodies (Statutory Corporations) (Insolvency) Regulations 2018.”.

(5) Rule 2.36(1) of the Rules is to be read as if “(in value)” were omitted.

(6) Rule 3.10 of the Rules is to be read as if paragraphs (b) and (c) were omitted.

(7) Where provision is made in rules 3.55(2) and rule 18.6(4) of the Rules for a person to send to any other person a report, or any other document, those documents must also be sent to the appropriate national authority.