

*Status: Point in time view as at 01/04/2008.*

*Changes to legislation: Mental Capacity Act 2005, Cross Heading: Insolvency Act 1986 (c. 45) is up to date with all changes known to be in force on or before 18 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)*

## SCHEDULES<sup>1</sup>

### SCHEDULE 6

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Insolvency Act 1986 (c. 45)*

- 31 (1) The Insolvency Act 1986 (c. 45) is amended as follows.
- (2) In section 389A (people not authorised to act as nominee or supervisor in voluntary arrangement), in subsection (3)—
- (a) omit the “or” immediately after paragraph (b),
  - (b) in paragraph (c), omit “Part VII of the Mental Health Act 1983 or”, and
  - (c) after that paragraph, insert “, or
  - (d) he lacks capacity (within the meaning of the Mental Capacity Act 2005) to act as nominee or supervisor”.
- (3) In section 390 (people not qualified to be insolvency practitioners), in subsection (4)
- (a) omit the “or” immediately after paragraph (b),
  - (b) in paragraph (c), omit “Part VII of the Mental Health Act 1983 or”, and
  - (c) after that paragraph, insert “, or
  - (d) he lacks capacity (within the meaning of the Mental Capacity Act 2005) to act as an insolvency practitioner.”.

**Status:**

Point in time view as at 01/04/2008.

**Changes to legislation:**

Mental Capacity Act 2005, Cross Heading: Insolvency Act 1986 (c. 45) is up to date with all changes known to be in force on or before 18 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.