



Small Business, Enterprise and Employment Act 2015

2015 CHAPTER 26

PART 10

INSOLVENCY

Regulation of insolvency practitioners: amendments to existing regime

142 Power for Secretary of State to obtain information

After section 391R of the Insolvency Act 1986 (inserted by section 141) insert—

“General

391S Power for Secretary of State to obtain information

- (1) A person mentioned in subsection (2) must give the Secretary of State such information as the Secretary of State may by notice in writing require for the exercise of the Secretary of State’s functions under this Part.
- (2) Those persons are—
 - (a) a recognised professional body;
 - (b) any individual who is or has been authorised under section 390A to act as an insolvency practitioner;
 - (c) any person who is connected to such an individual.
- (3) A person is connected to an individual who is or has been authorised to act as an insolvency practitioner if, at any time during the authorisation—
 - (a) the person was an employee of the individual;
 - (b) the person acted on behalf of the individual in any other way;
 - (c) the person employed the individual;

Status: This is the original version (as it was originally enacted).

- (d) the person was a fellow employee of the individual’s employer;
 - (e) in a case where the individual was employed by a firm, partnership or company, the person was a member of the firm or partnership or (as the case may be) a director of the company.
- (4) In imposing a requirement under subsection (1) the Secretary of State may specify—
- (a) the time period within which the information in question is to be given, and
 - (b) the manner in which it is to be verified.”