

SCHEDULES

SCHEDULE 8

ENFORCEMENT BY DEDUCTION FROM ACCOUNTS

PART 2

MISCELLANEOUS AMENDMENTS

Insolvency Act 1986

- 30 (1) Section 176 (preferential charge on goods distrained) is amended as follows.
- (2) For subsection (2) substitute—
- “(2) Subsection (2A) applies where—
- (a) any person (whether or not a landlord or person entitled to rent) has distrained upon the goods or effects of the company, or
 - (b) Her Majesty’s Revenue and Customs has been paid any amount from an account of the company under Part 1 of Schedule 8 to the Finance (No. 2) Act 2015 (enforcement by deduction from accounts),
- in the period of 3 months ending with the date of the winding-up order.
- (2A) Where this subsection applies—
- (a) in a case within subsection (2)(a), the goods or effects, or the proceeds of their sale, and
 - (b) in a case within subsection (2)(b), the amount in question,
- is charged for the benefit of the company with the preferential debts of the company to the extent that the company’s property is for the time being insufficient for meeting those debts.”
- (3) In subsection (3) for “(2)” substitute “(2A)”.
- (4) Accordingly, in the heading for the section, after “distrained” insert “, etc”.