



Corporate Insolvency and Governance Act 2020

CHAPTER 12

CORPORATE INSOLVENCY AND GOVERNANCE ACT 2020

Moratorium

- 1 Moratoriums in Great Britain
- 2 Moratoriums in Great Britain: further amendments and transition
- 3 Moratoriums in Great Britain: temporary modifications
- 4 Moratoriums in Northern Ireland
- 5 Moratoriums in Northern Ireland: further amendments and transition
- 6 Moratoriums in Northern Ireland: temporary modifications

Arrangements and reconstructions for companies in financial difficulty

- 7 Arrangements and reconstructions for companies in financial difficulty

Administration: sales to connected persons

- 8 Administration in Great Britain: sales to connected persons
- 9 Administration in Northern Ireland: sales to connected persons

Winding-up petitions

- 10 Winding-up petitions: Great Britain
- 11 Winding-up petitions: Northern Ireland

Wrongful trading

- 12 Suspension of liability for wrongful trading: Great Britain
- 13 Suspension of liability for wrongful trading: Northern Ireland

Termination clauses in supply contracts

- 14 Protection of supplies of goods and services: Great Britain
- 15 Temporary exclusion for small suppliers: Great Britain
- 16 Protection of supplies of electricity, gas, water, etc: Northern Ireland
- 17 Further protection of essential supplies: Northern Ireland
- 18 Protection of supplies of goods and services: Northern Ireland
- 19 Temporary exclusion for small suppliers: Northern Ireland

Power to amend corporate insolvency or governance legislation: Great Britain

- 20 Regulations to amend legislation: Great Britain
- 21 Purposes
- 22 Restrictions
- 23 Time-limited effect
- 24 Expiry
- 25 Consequential provision etc
- 26 Procedure for regulations
- 27 Interpretation

Power to amend corporate insolvency or governance legislation: Northern Ireland

- 28 Regulations to amend legislation: Northern Ireland
- 29 Purposes
- 30 Restrictions
- 31 Time-limited effect
- 32 Expiry
- 33 Consequential provision etc
- 34 Procedure for regulations made by the Department
- 35 Procedure for regulations made by the Secretary of State
- 36 Interpretation

Meetings and filings

- 37 Meetings of companies and other bodies
- 38 Temporary extension of period for public company to file accounts
- 39 Temporary power to extend periods for providing information to registrar
- 40 Section 39: the listed provisions

Powers to change periods

- 41 Power to change duration of temporary provisions: Great Britain
- 42 Power to change duration of temporary provisions: Northern Ireland

Implementation of insolvency measures

- 43 Modified procedure for regulations of the Secretary of State
- 44 Modified procedure for regulations of the Welsh Ministers
- 45 Modified procedure for regulations of the Scottish Ministers
- 46 Modified procedure for regulations of Northern Ireland departments

General

- 47 Power to make consequential provision
- 48 Extent

- 49 Commencement
- 50 Short title

SCHEDULES

SCHEDULE 1 — Moratoriums in Great Britain: eligible companies

SCHEDULE 2 — Moratoriums in Great Britain: contracts involving financial services

SCHEDULE 3 — Moratoriums in Great Britain: further amendments

- 1 Insolvency Act 1986
- 2 Omit section 1A (moratorium where directors propose voluntary arrangement).
- 3 In section 2 (procedure where nominee is not the liquidator...
- 4 (1) Section 4 (decision of the company and its creditors...
- 5 (1) Section 4A (approval of voluntary arrangement) is amended as...
- 6 (1) Section 5 (effect of approval of voluntary arrangement) is...
- 7 (1) Section 7A (prosecution of delinquent officers of company) is...
- 8 In section 7B (arrangements coming to an end prematurely) omit—...
- 9 In section 115 (expenses of voluntary winding up), at the...
- 10 In section 122 (circumstances in which company may be wound...
- 11 In section 124 (winding up by the court), omit subsection...
- 12 In section 127 (avoidance of property dispositions etc), after subsection...
- 13 Before section 175 (and before the italic heading “Preferential debts”...
- 14 (1) Section 175 (preferential debts: general provision) is amended as...
- 15 (1) Section 233 (supplies of gas, water, electricity etc) is...
- 16 In section 246ZD (power to assign certain causes of action),...
- 17 In section 246A (remote attendance at meetings), in subsection (10),...
- 18 In section 246B (use of websites), in subsection (3), before...
- 19 In section 247 (meaning of “insolvency” etc), in subsection (1),...
- 20 In section 387 (“the relevant date” in relation to preferential...
- 21 (1) Section 388 (meaning of “act as insolvency practitioner”) is...
- 22 (1) Section 411 (company insolvency rules) is amended as follows...
- 23 (1) Section 414 (fees orders) is amended as follows.
- 24 Before section 416 (monetary limits (companies winding up)) insert—
Monetary...
- 25 Omit section 417A (money sums: company moratorium).
- 26 In section 430 (provision introducing Schedule of punishments), after subsection...
- 27 In section 431 (summary proceedings), in subsection (1), for “Parts...
- 28 In section 432 (offences by bodies corporate), in subsection (4)—...
- 29 In section 434 (Crown application), after “Insolvency Act 1985” insert...
- 30 Omit Schedule A1 (moratorium where directors propose voluntary arrangement).
- 31 (1) Schedule B1 (administration) is amended as follows.
- 32 (1) Schedule 8 (provision capable of inclusion in company insolvency...
- 33 (1) Schedule 10 (punishment of offences under the Act) is...
- 34 Building Societies Act 1986
- 35 The Financial Markets and Insolvency (Settlement Finality) Regulations 1999

- 36 Limited Liability Partnerships Act 2000
- 37 The provision that may be made under section 16(1) of...
- 38 The Limited Liability Partnerships Regulations 2001
- 39 The Financial Services and Markets Act 2000 (Disclosure of Confidential Information) Regulations 2001
- 40 The Financial Collateral Arrangements (No.2) Regulations 2003
- 41 The Insolvency Practitioners Regulations 2005
- 42 Banking Act 2009
- 43 Charities Act 2011
- 44 (1) Section 245 is amended as follows.
- 45 After section 247 insert— Regulations about moratorium for certain CIOs...
- 46 The Investment Bank Special Administration Regulations 2011
- 47 In regulation 21 (dissolution or voluntary arrangement), in paragraph (5A)—...
- 48 In Schedule 2 (bank administration), in paragraph 16(3)(ba)—
- 49 The Charitable Incorporated Organisations (Insolvency and Dissolution) Regulations 2012
- 50 Co-operative and Community Benefit Societies Act 2014
- 51 In section 106 (appointment of inspectors and calling of special...
- 52 (1) Section 118 (power to apply provisions about company arrangements...
- 53 In section 147 (regulations and orders), in subsection (3), for...
- 54 The Co-operative and Community Benefit Societies and Credit Unions (Arrangements, Reconstructions and Administration) Order 2014 (S.I. 2014/229)
- 55 The International Interests in Aircraft Equipment (Cape Town Convention) Regulations 2015

SCHEDULE 4 — Moratoriums in Great Britain: temporary provision

PART 1 — “RELEVANT PERIOD” AND POWERS TO TURN OFF TEMPORARY PROVISION

- 1 “Relevant period”
- 2 Power to turn off particular provisions of Part 2 of this Schedule early
- 3 Power to turn off provisions of Parts 3 and 4 of this Schedule early etc
- 4 Rules under section 411 of the Insolvency Act 1986 may...

PART 2 — MODIFICATIONS TO PRIMARY LEGISLATION

- 5 “Eligible” company: additional exclusion
- 6 Relaxation of conditions for obtaining moratorium etc
- 7 In relation to an application for a moratorium made under...
- 8 Relaxation of conditions for extending moratorium obtained during relevant period
- 9 Monitoring of moratorium obtained during relevant period
- 10 Termination of moratorium obtained during relevant period
- 11 “Coronavirus”

PART 3 — TEMPORARY RULES: ENGLAND AND WALES

- 12 Introductory
- 13 Definition of “the court”
- 14 Content of documents relating to the obtaining or extending of a moratorium: general
- 15 Authentication of documents relating to obtaining or extending moratorium: general
- 16 Notice that directors wish to obtain a moratorium

- 17 Proposed monitor’s statement and consent to act
- 18 Timing of statements for obtaining moratorium
- 19 Notice by monitor where moratorium comes into force
- 20 Notice that directors wish to extend a moratorium
- 21 Extension under section [A10](#) or [A11](#) of the Insolvency Act 1986:
notices and statements
- 22 Timing of statements for extension under section [A10](#) or [A11](#)
- 23 Obtaining creditor consent: qualifying decision procedure
- 24 Rule 15.11 of the England and Wales Insolvency Rules (notice...
- 25 Rule 15.28 of the England and Wales Insolvency Rules (creditors’...
- 26 Rule 15.31 of the England and Wales Insolvency Rules (calculation...
- 27 Rule 15.32 of the England and Wales Insolvency Rules (calculation...
- 28 Rule 15.34 of the England and Wales Insolvency Rules (requisite...
- 29 Content of application to the court for extension of moratorium
- 30 Timing of statements accompanying application to court for extension
of moratorium
- 31 Notices about change in end of moratorium
- 32 (1) A notice under section A17(2) or (3) of the...
- 33 Where a moratorium comes to an end under section A16...
- 34 (1) A notice under section A17(4) of the Insolvency Act...
- 35 Notification by directors of insolvency proceedings etc
- 36 Notice of termination of moratorium
- 37 Termination of moratorium under section [A38\(1\)\(d\)](#) of the Insolvency
Act 1986
- 38 Replacement of monitor or additional monitor: statement and consent to
act
- 39 Replacement of monitor or additional monitor: notification
- 40 Challenge to monitor’s remuneration
- 41 Challenge to directors’ actions: qualifying decision procedure
- 42 Priority of moratorium debts etc in subsequent winding up
- 43 Priority of moratorium debts etc in subsequent administration
- 44 Prescribed format of documents
- 45 (1) The following provisions of the England and Wales Insolvency...
- 46 Delivery of documents
- 47 Applications to court
- 48 Identification details for a company
- 49 Contact details of a monitor or other office-holder
- 50 “The England and Wales Insolvency Rules”
- 51 Interpretation: general
PART 4 — TEMPORARY RULES: SCOTLAND
- 52 Introductory
- 53 Definition of “the court”
- 54 Content of documents relating to the obtaining or extending of a
moratorium: general
- 55 Authentication of documents relating to obtaining or extending
moratorium: general
- 56 Notice that directors wish to obtain a moratorium
- 57 Proposed monitor’s statement and consent to act
- 58 Timing of statements for obtaining moratorium
- 59 Notice by monitor where moratorium comes into force
- 60 Notice that directors wish to extend a moratorium
- 61 Extension under section [A10](#) or [A11](#) of the Insolvency Act 1986:
notices and statements

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- 62 Timing of statements for extension under section [A10](#) or [A11](#)
 - 63 Obtaining creditor consent: qualifying decision procedure
 - 64 Rule 5.11 of the Scottish Insolvency Rules (notice of decision...
 - 65 Rule 5.26 of the Scottish Insolvency Rules (creditors' voting rights)...
 - 66 Rule 5.28 of the Scottish Insolvency Rules (calculation of voting...
 - 67 Rule 5.29 of the Scottish Insolvency Rules (calculation of voting...
 - 68 Rule 5.31 of the Scottish Insolvency Rules (requisite majorities) has...
 - 69 Content of application to the court for extension of moratorium
 - 70 Timing of statements accompanying application to court for extension of moratorium
 - 71 Notices about change in end of moratorium
 - 72 (1) A notice under section [A17\(2\)](#) or (3) of the...
 - 73 Where a moratorium comes to an end under section [A16](#)...
 - 74 (1) A notice under section [A17\(4\)](#) of the Insolvency Act...
 - 75 Notification by directors of insolvency proceedings etc
 - 76 Notice of termination of moratorium
 - 77 Termination of moratorium under section [A38\(1\)\(d\)](#) of the Insolvency Act 1986
 - 78 Replacement of monitor or additional monitor: statement and consent to act
 - 79 Replacement of monitor or additional monitor: notification
 - 80 Challenge to monitor's remuneration
 - 81 Challenge to directors' actions: qualifying decision procedure
 - 82 Priority of moratorium debts etc in subsequent winding up
 - 83 Priority of moratorium debts etc in subsequent administration
 - 84 Prescribed format of documents
 - 85 (1) The following provisions of the Scottish Insolvency Rules apply,...
 - 86 Delivery of documents
 - 87 Identification details for a company
 - 88 Contact details of a monitor or other office-holder
 - 89 "The Scottish Insolvency Rules"
 - 90 Interpretation: general
 - PART 5 — ENTITIES OTHER THAN COMPANIES
 - 91 Regulations under section [14\(1\)](#) of the Limited Liability Partnership Act...
 - 92 An order or regulations under section [118\(1\)\(a\)](#), (3B) or (3C)...

SCHEDULE 5 — Moratoriums in Northern Ireland: eligible companies

SCHEDULE 6 — Moratoriums in Northern Ireland: contracts involving financial services

SCHEDULE 7 — Moratoriums in Northern Ireland: further amendments

- 1 The Insolvency (Northern Ireland) Order 1989
- 2 In each of the following places, for "Parts II to..."
- 3 In Article 2(2), in the definition of "regulations"—
- 4 (1) Article 3 (meaning of "act as insolvency practitioner") is...
- 5 In Article 6 (meaning of "insolvency" etc), in paragraph (1),...
- 6 Omit Article 14A (moratorium where directors propose voluntary arrangement).
- 7 In Article 15 (procedure where nominee is not the liquidator...
- 8 (1) Article 17 (decision of the company and its creditors...
- 9 (1) Article 17A (approval of voluntary arrangement) is amended as...

- 10 (1) Article 18 (effect of approval of voluntary arrangement) is...
- 11 (1) Article 20A (prosecution of delinquent officers of company) is...
- 12 In Article 20B (arrangements coming to an end prematurely) omit—...
- 13 In Article 100 (expenses of voluntary winding up), at the...
- 14 In Article 102 (circumstances in which company may be wound...
- 15 In Article 104 (application for winding up by the High...
- 16 In Article 107 (avoidance of property dispositions etc), after paragraph...
- 17 Before Article 149 (and before the italic heading “Preferential debts”...
- 18 (1) Article 149 (preferential debts: general provision) is amended as...
- 19 (1) Article 197 (supplies of water, electricity, etc) is amended...
- 20 In Article 208ZA (remote attendance at meetings), as inserted by...
- 21 In Article 208ZB (use of websites), as inserted by section...
- 22 In Article 347 (“the relevant date” in relation to preferential...
- 23 (1) Article 362 (monetary limits) is amended as follows.
- 24 In Article 373 (offences: disapplication of section 20(2) of the...
- 25 In Article 383(a), for “Parts 2 to 7” substitute “Parts...
- 26 Omit Schedule A1 (moratorium where directors propose voluntary arrangement).
- 27 (1) Schedule B1 (administration) is amended as follows.
- 28 (1) Schedule 5 (provision capable of inclusion in company insolvency...
- 29 (1) Schedule 7 (punishment of offences under the Order) is...
- 30 Building Societies Act 1986
- 31 Limited Liability Partnerships Act 2000
- 32 The Financial Services and Markets Act 2000 (Disclosure of Confidential Information) Regulations 2001
- 33 The Insolvency Practitioners Regulations (Northern Ireland) 2006
- 34 Insolvency (Northern Ireland) Order 2002 (S.I. 2002/3152 (N.I. 6))
- 35 Insolvency (Northern Ireland) Order 2005 (S.I. 2005/1455 (N.I. 10))
- 36 (1) Article 10 is amended as follows.
- 37 Omit Article 11.
- 38 In Schedule 2, omit paragraph 45.
- 39 Insolvency (Amendment) Act (Northern Ireland) 2016

SCHEDULE 8 — Moratoriums in Northern Ireland: temporary provision

PART 1 — “RELEVANT PERIOD” AND POWERS TO TURN OFF TEMPORARY PROVISION

- 1 “Relevant period”
- 2 Power to turn off particular provisions of Part 2 of this Schedule early
- 3 Power to turn off provisions of Part 3 of this Schedule early etc
- 4 Rules under Article 359 of the Insolvency (Northern Ireland) Order...

PART 2 — MODIFICATIONS TO PRIMARY LEGISLATION

- 5 “Eligible” company: additional exclusion
- 6 Relaxation of conditions for obtaining moratorium etc
- 7 In relation to an application for a moratorium made under...
- 8 Relaxation of conditions for extending moratorium obtained during relevant period
- 9 Monitoring of moratorium obtained during relevant period
- 10 Termination of moratorium obtained during relevant period
- 11 “Coronavirus”

PART 3 — TEMPORARY RULES

- 12 Introductory
- 13 Content of documents relating to the obtaining or extending of a moratorium: general

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- 14 Authentication of documents relating to obtaining or extending moratorium: general
 - 15 Notice that directors wish to obtain a moratorium
 - 16 Proposed monitor’s statement and consent to act
 - 17 Timing of statements for obtaining moratorium
 - 18 Notice by monitor where moratorium comes into force
 - 19 Notice that directors wish to extend a moratorium
 - 20 Extension under Article 13CA or 13CB of the Insolvency (Northern Ireland) Order 1989: notices and statements
 - 21 Timing of statements for extension under Article 13CA or 13CB
 - 22 Obtaining creditor consent at meeting
 - 23 (1) In their application for the purposes of a decision...
 - 24 Rule 4.061 has effect as if for paragraphs (1) to...
 - 25 Rule 4.062 has effect as if for paragraphs (2) to...
 - 26 Rule 4.065 has effect as if, in paragraph (2), for...
 - 27 Rule 4.068 has effect as if for it there were...
 - 28 Rule 4.070 has effect as if for it (and its...
 - 29 Rule 4.073 has effect as if— (a) after paragraph (3)...
 - 30 Rule 4.077 has effect as if— (a) in paragraph (1)...
 - 31 Content of application to the High Court for extension of moratorium
 - 32 Timing of statements accompanying application to High Court for extension of moratorium
 - 33 Notices about change in end of moratorium
 - 34 (1) A notice under Article 13CH(2) or (3) of the...
 - 35 Where a moratorium comes to an end under Article 13CG...
 - 36 (1) A notice under Article 13CH(4) of the Insolvency (Northern...
 - 37 Notification by directors of insolvency proceedings etc
 - 38 Notice of termination of moratorium
 - 39 Termination of moratorium under Article 13ED(1)(d) of the Insolvency (Northern Ireland) Order 1989
 - 40 Replacement of monitor or additional monitor: statement and consent to act
 - 41 Replacement of monitor or additional monitor: notification
 - 42 Challenge to monitor’s remuneration
 - 43 Challenge to directors’ actions: meeting
 - 44 Priority of moratorium debts etc in subsequent winding up
 - 45 Priority of moratorium debts etc in subsequent administration
 - 46 Prescribed format of documents
 - 47 (1) This paragraph applies where a provision of this Part...
 - 48 Where a provision of this Part of this Schedule sets...
 - 49 Authentication of applications, notices and statements
 - 50 Modifications to the Insolvency Rules
 - 51 Identification details for a company
 - 52 Contact details of a monitor or other office-holder
 - 53 “The Insolvency Rules”
 - 54 Interpretation: general
 - PART 4 — ENTITIES OTHER THAN COMPANIES
 - 55 Regulations under section 14(1) of the Limited Liability Partnership Act...
 - 56 An order under Article 10(2) of the Insolvency (Northern Ireland)...

SCHEDULE 9 — Arrangements and reconstructions for companies in financial difficulty

PART 1 — MAIN PROVISIONS

1 In the Companies Act 2006, after Part 26 insert— PART...

PART 2 — CONSEQUENTIAL AMENDMENTS

2 Finance Act 1986

3 In section 80D (repurchases and stock lending: replacement stock on...

4 In section 89AB (stamp duty reserve tax: exception for repurchases...

5 Insolvency Act 1986

6 (1) In Part 4 (winding up of companies registered under...

7 (1) Schedule B1 (administration) is amended as follows.

8 Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N.I. 19))

9 In Article 150A (share of assets for unsecured creditors), in...

10 (1) Schedule B1 (administration) is amended as follows.

11 Water Industry Act 1991

12 Taxation of Chargeable Gains Act 1992

13 In section 263CA (stock lending: insolvency etc of borrower), in...

14 In Schedule 5AA (meaning of “scheme of reconstruction” for purposes...

15 Value Added Tax Act 1994

16 Housing Act 1996

17 Financial Services and Markets Act 2000

18 In section 105 (insurance business transfer schemes), in subsection (5),...

19 In Schedule 17A (further provision in relation to exercise of...

20 (1) Part 24 (insolvency) is amended as follows.

21 Limited Liability Partnerships Act 2000

22 Enterprise Act 2002

23 Income Tax (Earnings and Pensions) Act 2003

24 (1) Schedule 3 (SAYE option schemes) is amended as follows....

25 (1) Schedule 4 (CSOP schemes) is amended as follows.

26 In Schedule 5 (enterprise management incentives), in paragraph 39 (company...

27 Energy Act 2004

28 Income Tax (Trading and Other Income) Act 2005

29 Insolvency (Northern Ireland) Order 2005 (S.I. 2005/1455 (N.I. 10))

30 Companies Act 2006

31 In section 32(1) (constitutional documents to be provided to members),...

32 In section 93 (recent allotment of shares for non-cash consideration),...

33 (1) Part 17 (a company’s share capital) is amended as...

34 In section 681 (unconditional exceptions to prohibition against financial assistance),...

35 (1) Part 26 (arrangements and reconstructions) is amended as follows....

36 (1) Part 27 (mergers and divisions of public companies) is...

37 (1) In Part 31 (dissolution and restoration to the register),...

38 In section 1078 (documents subject to disclosure requirements), in subsection...

39 (1) Schedule 8 (index of defined expressions) is amended as...

40 Housing and Regeneration Act 2008

41 Corporation Tax Act 2009

42 Corporation Tax Act 2010

43 (1) Part 7ZA (restrictions on obtaining certain deductions) is amended...

44 In Part 14 (change in company ownership), in section 724A...

45 Third Parties (Rights against Insurers) Act 2010

- 46 Housing (Scotland) Act 2010 (asp 17)
- 47 (1) Section 100A (restructuring by company: proposed restructuring) is amended...
- 48 (1) Section 101 (restructuring of company) is amended as follows....
- 49 Financial Services (Banking Reform) Act 2013
- 50 Co-operative and Community Benefit Societies Act 2014
- 51 Mutuals' Deferred Shares Act 2015

SCHEDULE 10 — Winding-up petitions: Great Britain

PART 1 — PROHIBITION OF PETITIONS ON BASIS OF STATUTORY DEMANDS

- 1 (1) No petition for the winding up of a registered...

PART 2 — RESTRICTION ON WINDING-UP PETITIONS AND ORDERS

- 2 Restriction on winding-up petitions: registered companies
- 3 Restriction on winding-up petitions: unregistered companies
- 4 Restriction on winding-up petitions: petitions made before commencement
- 5 Restriction on winding-up orders: registered companies
- 6 Restriction on winding-up orders: unregistered companies
- 7 Restriction on winding-up orders: orders made before commencement
- 8 Modifications of 1986 Act
- 9 If the winding up would by virtue of section 129(2)...
- 10 In section 74 of the 1986 Act (liability as contributories...
- 11 In section 206 of the 1986 Act (fraud etc in...
- 12 In section 207 of the 1986 Act (transactions in fraud...
- 13 In section 208 of the 1986 Act (misconduct in course...
- 14 (1) Section 214A of the 1986 Act (as inserted for...
- 15 (1) Section 240 of the 1986 Act (definition of “relevant...
- 16 (1) Section 242 of the 1986 Act (gratuitous alienations (Scotland))...
- 17 In section 243 of the 1986 Act (unfair preferences (Scotland)),...
- 18 (1) Section 245 of the 1986 Act (avoidance of certain...
- 19 Modification of Insolvency Rules and Rules of Court
- 20 (1) This paragraph applies in relation to a petition which...
- 21 Interpretation

PART 3 — GENERAL

- 22 In this Schedule— “the 1986 Act” means the Insolvency Act...
- 23 (1) The provisions of this Schedule, so far as relating...

SCHEDULE 11 — Winding-up petitions: Northern Ireland

PART 1 — PROHIBITION OF PETITIONS ON BASIS OF STATUTORY DEMANDS

- 1 (1) No petition for the winding up of a registered...

PART 2 — RESTRICTION ON WINDING-UP PETITIONS AND ORDERS

- 2 Restriction on winding-up petitions: registered companies
- 3 Restriction on winding-up petitions: unregistered companies
- 4 Restriction on winding-up petitions: petitions made before commencement
- 5 Restriction on winding-up orders: registered companies
- 6 Restriction on winding-up orders: unregistered companies
- 7 Restriction on winding-up orders: orders made before commencement
- 8 Modifications of 1989 Order
- 9 If the winding up would by virtue of Article 109(2)...
- 10 In Article 61 of the 1989 Order (liability as contributories...
- 11 In Article 170 of the 1989 Order (fraud etc in...
- 12 In Article 171 of the 1989 Order (transactions in fraud...

- 13 In Article 172 of the 1989 Order (misconduct in course...
- 14 (1) Article 178A of the 1989 Order (as inserted for...
- 15 (1) Article 204 of the 1989 Order (definition of “relevant...
- 16 (1) Article 207 of the 1989 Order (avoidance of certain...
- 17 Modification of Insolvency Rules
- 18 Interpretation
- PART 3 — GENERAL
- 19 In this Schedule— “the 1989 Order” means the Insolvency (Northern...
- 20 (1) The provisions of this Schedule, so far as relating...

SCHEDULE 12 — Protection of supplies of goods and services: Great Britain

PART 1 — EXCLUSIONS

- 1 In the Insolvency Act 1986, after Schedule 4 insert— SCHEDULE...

PART 2 — CONSEQUENTIAL AMENDMENTS

- 2 Amendments to Acts
- 3 In Schedule 15A to the Building Societies Act 1986 (application...
- 4 In Schedule 10 to the Friendly Societies Act 1992 (application...
- 5 Amendments to subordinate legislation
- 6 In Schedule 4 to the Limited Liability Partnerships Regulations 2001...
- 7 In Schedule 2 to the Limited Liability Partnerships (Scotland) Regulations...
- 8 In Schedule 3 to the Co-operative and Community Benefit Societies...

SCHEDULE 13 — Protection of supplies of goods and services: Northern Ireland

PART 1 — EXCLUSIONS

- 1 After Schedule 2 to the Insolvency (Northern Ireland) Order 1989...

PART 2 — CONSEQUENTIAL AMENDMENTS

- 2 Amendments to Acts
- 3 In Schedule 15A to the Building Societies Act 1986 (application...
- 4 In Schedule 10 to the Friendly Societies Act 1992 (application...
- 5 Amendment to subordinate legislation

SCHEDULE 14 — Meetings of companies and other bodies

- 1 Meaning of “qualifying body”
- 2 Meaning of “relevant period”
- 3 Meetings of qualifying bodies held during the relevant period
- 4 Meetings of qualifying bodies held during the relevant period: power to make further provision
- 5 Extension of period for qualifying body to hold annual general meeting
- 6 Power to extend period for qualifying body to hold annual general meeting
- 7 Regulations made by the Secretary of State or the Treasury
- 8 Regulations made by the Scottish Ministers
- 9 Regulations made by the Department for the Economy in Northern Ireland
- 10 Other interpretation