
STATUTORY INSTRUMENTS

2003 No. 2093

**The Enterprise Act 2002 (Commencement No. 4 and
Transitional Provisions and Savings) Order 2003**

Abolition of Crown preference—transitional provisions

- 4.—(1) This article applies to a case where before the first commencement date—
- (a) a petition for an administration order pursuant to Part II of the Insolvency Act 1986 is presented;
 - (b) a voluntary arrangement under Part I of the Insolvency Act 1986 has effect;
 - (c) a receiver is appointed under the terms of a charge (which when created was a floating charge) in relation to the property of a company subject to the charge;
 - (d) a petition for a winding-up order is presented;
 - (e) a resolution for the winding up of the company is passed;
 - (f) a petition for a bankruptcy order (or, in Scotland, for sequestration) is presented; or
 - (g) a voluntary arrangement pursuant to Part VIII of the Insolvency Act 1986 has effect.
- (2) This article also applies to a case where proposals for a voluntary arrangement under Part I of the Insolvency Act 1986 are made (whether before or after the first commencement date) by—
- (a) a liquidator in a winding up where the winding-up petition is presented or, as the case may be, the resolution for winding up is passed, before the first commencement date; or
 - (b) an administrator appointed in relation to an administration under Part II of the Insolvency Act 1986 where the administration order is made on a petition which is presented before the first commencement date.
- (3) This article also applies to a case in which a proposal for a voluntary arrangement under Part VIII of the Insolvency Act 1986 is made (whether before or after the first commencement date) by a person who was adjudged bankrupt on a petition which was presented before the first commencement date.
- (4) In a case to which this article applies—
- (a) the provisions of section 251; and
 - (b) the provisions of section 278(2) and Schedule 26 as respects the repeals relating to paragraphs 1 to 3 and 8 to 8C in Schedule 3 to the Bankruptcy (Scotland) Act 1985⁽¹⁾, paragraphs 1 to 7 of Schedule 6 to the Insolvency Act 1986⁽²⁾, the table in paragraph 32 of Schedule 29 to the Income and Corporation Taxes Act 1988⁽³⁾, paragraphs 21A and 22 of Schedule 2 to the Finance Act 1991⁽⁴⁾, paragraph 73 of Schedule 2 to the Social Security (Consequential Provisions) Act 1992⁽⁵⁾, sections 36(1) to (3) of the Finance Act 1993⁽⁶⁾, paragraphs 13(1) and 13(2) of Schedule 6 and paragraph 7(2) of Schedule 7 to

(1) 1985 c. 36.

(2) 1986 c. 45.

(3) 1988 c. 1.

(4) 1991 c. 31. Paragraph 21A was inserted into Schedule 2 by s. 9 of the Finance (No.2) Act 1992 (c. 48).

(5) 1992 c. 6.

(6) 1993 c. 34.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

the Finance Act 1994(7), paragraph 8 of Schedule 14 to the Value Added Tax Act 1994(8), section 17 of the Finance Act 1995(9), paragraphs 12(1) and 12(2) of Schedule 5 to the Finance Act 1996(10), sections 166(7)(a), 183(3)(a) and 189(4) of the Employment Rights Act 1996(11), paragraph 6 of Schedule 2 to the Finance Act 1997(12), paragraphs 2 and 3 of Schedule 7 to the Finance Act 2000(13) and paragraphs 17(1) and (2) and 18 of Schedule 5 to the Finance Act 2001(14),

shall not have effect.

(7) 1994 c. 9.
(8) 1994 c. 23.
(9) 1995 c. 4.
(10) 1996 c. 8.
(11) 1996 c. 18.
(12) 1997 c. 16.
(13) 2000 c. 17.
(14) 2001 c. 9.