

SCHEDULE 18

AMENDMENTS TO SUBORDINATE LEGISLATION RELATING TO INSOLVENCY

PART 1

AMENDMENTS TO INSOLVENCY LEGISLATION

Insolvency Rules 1986

- 1.—(1) Amend the Insolvency Rules 1986 ^{M1} as follows.
- (2) In Rule 6.237 (bankrupt's home – notification of property falling within section 283A)—
- (a) in paragraph (1)(b), after “spouse” insert “ or civil partner ”; and
 - (b) in paragraph (1)(c), after “former spouse” insert “ or former civil partner ”.
- (3) In Rule 6.237A (application in respect of the vesting of an interest in a dwelling-house (registered land))—
- (a) in paragraph (1)(a)(ii), after “spouse” insert “ or civil partner ”;
 - (b) in paragraph (1)(a)(iii), after “former spouse” insert “ or former civil partner ”; and
 - (c) in paragraph (4), after “former spouse” insert “ or civil partner or former civil partner ”.
- (4) In Rule 6.237B (vesting of bankrupt's interest (unregistered land))—
- (a) in paragraph (1)(b), after “spouse” insert “ or civil partner ”;
 - (b) in paragraph (1)(c), after “former spouse” insert “ or former civil partner ”; and
 - (c) in paragraph (3), after “former spouse” insert “ or civil partner or former civil partner ”.
- (5) In paragraph (2)(a) of Rule 6.237D (charging order), after “former spouse” insert “ or civil partner or former civil partner ”.
- (6) In Schedule 4 (Forms), for Forms 6.28 and 6.83 substitute the Forms so numbered as set out in Part 2 of this Schedule.

Marginal Citations

M1 [S.I. 1986/1925](#); relevant amending instruments are [S.I. 2003/1730](#) , 2005/527.

Insolvent Partnerships Order 1994

- 2.—(1) Amend the Insolvent Partnerships Order 1994 ^{M2} as follows.
- (2) In Schedule 4, in paragraph 28A (Section 283A: Individual member's home ceasing to form part of estate), in modified section 283A—
- (a) in subsection (1)(b) after “spouse” insert “ or civil partner ”; and
 - (b) in subsection (1)(c) after “former spouse” insert “ or former civil partner ”.
- (3) In Schedule 4, in paragraph 29A (Section 313A: Low value home: application for sale, possession or charge), in modified section 313A—
- (a) in subsection (1)(a)(ii) after “spouse” insert “ or civil partner ”; and
 - (b) in subsection (1)(a)(iii) after “former spouse” insert “ or former civil partner ”.

Changes to legislation: There are currently no known outstanding effects for the *The Civil Partnership Act 2004 (Amendments to Subordinate Legislation) Order 2005, PART 1*. (See end of Document for details)

(4) In Schedule 7, in paragraph 7A (Section 283A: Bankrupt's home ceasing to form part of estate), in modified section 283A—

(a) in subsection (1)(b) after “spouse” insert “ or civil partner ”; and

(b) in subsection (1)(c) after “former spouse” insert “ or former civil partner ”.

(5) In Schedule 7, paragraph 20A (Section 313A: Low value home: application for sale, possession or charge), in modified section 313A—

(a) in subsection (1)(a)(ii) after “spouse” insert “ or civil partner ”; and

(b) in subsection (1)(a)(iii) after “former spouse” insert “ or former civil partner ”.

Marginal Citations

M2 [S.I. 1994/2421](#), amended by [S.I. 2005/1516](#); there are other amending instruments but none is relevant.

Limited Liability Partnerships Regulations 2001

3. In Schedule 3 to the Limited Liability Partnerships Regulations 2001 ^{M3}, in the entry relating to section 435 of the Insolvency Act 1986 ^{M4} (meaning of “associate”), in the entry relating to the new subsection (3A), after “wife” insert “ or civil partner ”.

Marginal Citations

M3 [S.I. 2001/1090](#), to which there are amendments not relevant to this Order.

M4 [1986 c. 45](#).

Changes to legislation:

There are currently no known outstanding effects for the The Civil Partnership Act 2004 (Amendments to Subordinate Legislation) Order 2005, PART 1.