
STATUTORY INSTRUMENTS

2010 No. 18

The Legislative Reform (Insolvency) (Miscellaneous Provisions) Order 2010

Transitional provisions

Transitional provisions

12.—(1) Sections 92A and 104A of the Insolvency Act 1986 (“the 1986 Act”) inserted by article 6 do not apply in respect of a company in voluntary winding up where the resolution to wind up was passed before 6th April 2010.

(2) The amendments to sections 93 and 105 of the 1986 Act made by article 6 do not apply in respect of a company in voluntary winding up where the resolution to wind up was passed before 6th April 2010.

(3) The amendments to sections 95 and 98 of the 1986 Act made by article 7 do not apply in respect of a company in voluntary winding up where the resolution to wind up was passed before 6th April 2010.

(4) Where a person agrees before 6th April 2010 to act as nominee in respect of a proposal for a voluntary arrangement under Part 8 of the 1986 Act by a debtor for a composition in satisfaction of his debts or for a scheme of arrangement of his affairs to a nominee under section 256A or 263B of the 1986 Act, the provisions of the 1986 Act relevant to a proposal under those sections as they were prior to the amendments made by this Order shall continue to apply to it.

(5) The amendments made to Schedules 4 and 5 to the 1986 Act by articles 10 and 11 respectively do not apply in respect of any proceedings under the 1986 Act where—

- (a) in the case of a company in voluntary winding up, the resolution to wind up was passed before 6th April 2010;
- (b) in the case of a company in voluntary winding up pursuant to paragraph 83 of Schedule B1 to the 1986 Act, the preceding administration commenced before 6th April 2010;
- (c) in the case of a company in winding up following an order for the conversion of administration or a voluntary arrangement into winding up by virtue of article 37 of Council Regulation (EC) No 1346/2000 on insolvency proceedings⁽¹⁾, the order for conversion was made before 6th April 2010;
- (d) in the case of a company being wound up by the court, the winding-up order was made before 6th April 2010;
- (e) in the case of a bankruptcy, the debtor was adjudged bankrupt before 6th April 2010; and
- (f) in the case of a bankruptcy following an order for the conversion of a voluntary arrangement into a bankruptcy by virtue of article 37 of Council Regulation (EC) No 1346/2000, the order for conversion was made before 6th April 2010.

⁽¹⁾ OJNo. L160, 30.06.00 p. 1.

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