
STATUTORY INSTRUMENTS

2010 No. 18

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

Provisions relating to communication

References to things in writing

4.—(1) After section 436A (proceedings under EC Regulation: modified definition of property)(1) insert—

“References to things in writing

436B.—(1) A reference in this Act to a thing in writing includes that thing in electronic form.

(2) Subsection (1) does not apply to the following provisions—

- (a) section 53 (mode of appointment by holder of charge),
- (b) section 67(2) (report by receiver),
- (c) section 70(4) (reference to instrument creating a charge),
- (d) section 111(2) (dissent from arrangement under s. 110),
- (e) in the case of a winding up of a company registered in Scotland, section 111(4),
- (f) section 123(1) (definition of inability to pay debts),
- (g) section 198(3) (duties of sheriff principal as regards examination),
- (h) section 222(1) (inability to pay debts: unpaid creditor for £750 or more), and
- (i) section 223 (inability to pay debts: debt remaining unsatisfied after action brought).”.

(2) Paragraph 111(2) of Schedule B1(2) is repealed.

(1) Section 436A was inserted by the Insolvency Act 1986 (Amendment)(No 2) Regulations 2002 (S.I. 2002/1240).

(2) Schedule B1 was inserted by the Enterprise Act 2002 (c. 40), section 248 and Schedule 16.