
STATUTORY INSTRUMENTS

2010 No. 18

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

Requirements relating to meetings

Removal of requirement for annual meetings in a members' voluntary and a creditors' voluntary winding up in England and Wales

6.—(1) After section 92 (power to fill vacancy in office of liquidator) add—

“Progress report to company at year’s end (England and Wales)

92A.—(1) Subject to sections 96 and 102, in the event of the winding up of a company registered in England and Wales continuing for more than one year, the liquidator must—

- (a) for each prescribed period produce a progress report relating to the prescribed matters; and
- (b) within such period commencing with the end of the period referred to in paragraph (a) as may be prescribed send a copy of the progress report to—
 - (i) the members of the company; and
 - (ii) such other persons as may be prescribed.

(2) A liquidator who fails to comply with this section is liable to a fine.”.

(2) In section 93 (general company meeting at each year’s end)—

- (a) in the heading, at the end, insert “(Scotland)”; and
- (b) in subsection (1) after “winding up”, where it first occurs, insert “of a company registered in Scotland”.

(3) After section 104 (vacancy in office of liquidator) add—

“Progress report to company and creditors at year’s end (England and Wales)

104A.—(1) If the winding up of a company registered in England and Wales continues for more than one year, the liquidator must—

- (a) for each prescribed period produce a progress report relating to the prescribed matters; and
- (b) within such period commencing with the end of the period referred to in paragraph (a) as may be prescribed send a copy of the progress report to—
 - (i) the members and creditors of the company; and
 - (ii) such other persons as may be prescribed.

(2) A liquidator who fails to comply with this section is liable to a fine.”.

(4) In section 105 (meetings of company and creditors at each year’s end)—

- (a) in the heading, at the end, insert “(Scotland)”; and

Status: This is the original version (as it was originally made).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

(b) in subsection (1) after “winding up”, where it first occurs, insert “of a company registered in Scotland”.

(5) In Schedule 10—

(a) after the entry relating to section 89(6) insert—

“92A(2)	Liquidator failing to send Summary progress report to members at year’s end	Level 3 on the standard scale”; and
---------	---	-------------------------------------

(b) after the entry relating to section 99(3) insert—

“104A(2)	Liquidator failing to send Summary progress report to members and creditors at year’s end	Level 3 on the standard scale”.
----------	---	---------------------------------

Requirements in relation to meetings under sections 95 and 98 of the 1986 Act

7. In section 95(2A)(b) (effect of company’s insolvency) and in section 98(1A)(b) (meeting of creditors), omit “by post”.