
STATUTORY INSTRUMENTS

2015 No. 1641

**The Deregulation Act 2015 (Insolvency)
(Consequential Amendments and Transitional
and Savings Provisions) Order 2015**

Citation, interpretation and commencement

1. This Order may be cited as the Deregulation Act 2015 (Insolvency) (Consequential Amendments and Transitional and Savings Provisions) Order 2015.
2. In this Order—
 - “the Act” means the Deregulation Act 2015;
 - “the 1986 Act” means the Insolvency Act 1986(1); and
 - “the transitional period” means the period of one year beginning with on 1st October 2015.
3. This Order comes into force on 1st October 2015.

Consequential amendments to secondary legislation

4. Schedule 1 to this Order has effect, subject to the savings provisions in articles 8 and 9.
5. Schedule 2 to this Order has effect.
6. Schedule 3 to this Order has effect subject to the savings provisions in article 10.

Transitional and savings provisions

7.—(1) Where, during the transitional period, the Secretary of State grants an application made, before 1st October 2015, by an individual for authorisation to act as an insolvency practitioner pursuant to section 393 of the 1986 Act, the individual to whom authorisation is granted must, as soon as reasonably practicable, pay to the Secretary of State a fee in connection with the maintenance of the authorisation.

(2) The fee shall be calculated by multiplying £2400 by the number of days the authorisation has to run (starting with the date of authorisation and ending on 30th September 2016) and dividing the result by 365.

8.—(1) Subject to paragraph (2), the amendments made by article 4 of, and Schedule 1 to, this Order have no effect for the duration of the transitional period in relation to an individual who before the 1st October 2015—

- (a) has applied for authorisation to act as an insolvency practitioner under section 392 of the 1986 Act and that application has not been granted, refused or withdrawn; or
- (b) holds an authorisation so to act granted under section 393 of the 1986 Act.

(2) The reference in paragraph (1) to Schedule 1 to this Order does not include paragraphs 3(2), 4(3), 5(3) and 5(5) of that Schedule.

9.—(1) Where during the transitional period section 393(3A) of the Insolvency 1986 Act applies to an authorisation to act as an insolvency practitioner by virtue of paragraph 23(2) of Schedule 6 to the Act, and the insolvency practitioner has not requested or consented to a withdrawal of the authorisation, the revocation of regulation 11 of the Insolvency Practitioners Regulations 2005(2) by article 4 of, and paragraphs 5(1) and (5) of Schedule 1 to, this Order shall have no effect.

(2) During the transitional period the Secretary of State may request that the holder of an authorisation granted by the Secretary of State to act as an insolvency practitioner provide any information relating to any matters of the kind referred to in paragraph (1) of regulation 11 of the Insolvency Practitioners Regulations 2005 and any such request must be complied with within one month of its receipt or within such longer period as the Secretary of State may allow.

10. The revocations and amendments made by paragraph 1 of Schedule 3 to this Order have no effect in relation to a deed of arrangement registered under section 5 of the Deeds of Arrangement Act 1914(3) before 1st October 2015 if, immediately before that date, the estate of the debtor who executed the deed of arrangement has not been fully wound up.

Anna Soubry
Minister of State for Small Business, Industry
and Enterprise
Department for Business, Innovation and Skills

1st September 2015

(2) [S.I. 2005/524](#); relevant amending instruments are [2009/2748](#), [2009/3081](#), [2015/391](#).
(3) [1914 c. 47](#).