

SCHEDULE 1

Modification of enactments

PART 1

Primary legislation

Third Parties (Rights against Insurers) Act 2010

- 35.**—(1) The Third Parties (Rights against Insurers) Act 2010⁽¹⁾ is amended as follows.
- (2) In section 4 (individuals)—
- (a) in subsection (2)—
 - (i) for “any” substitute “either”;
 - (ii) for the words from “that”, where it first occurs, to “estate” substitute “the individual’s estate”;
 - (iii) in paragraph (a), for “under section 5 of the Bankruptcy (Scotland) Act 1985” substitute “by virtue of section 2 or 5 of the Bankruptcy (Scotland) Act 2016”;
 - (iv) at the end of paragraph (a) insert “or”; and
 - (v) omit paragraph (c) and the “or” which immediately precedes paragraph (c).
 - (b) in subsection (5), for “under section 5 of the Bankruptcy (Scotland) Act 1985” substitute “by virtue of section 2 or 5 of the Bankruptcy (Scotland) Act 2016”; and
 - (c) omit subsection (6).
- (3) In section 5(2) (individuals who die insolvent)—
- (a) in paragraph (b), for “under section 5 of the Bankruptcy (Scotland) Act 1985” substitute “by virtue of section 2 or 5 of the Bankruptcy (Scotland) Act 2016”; and
 - (b) in paragraph (c), for “1985” substitute “2016”.
- (4) In section 6 (corporate bodies etc.)—
- (a) in subsection (3)—
 - (i) in paragraph (a), for “under section 6 of the Bankruptcy (Scotland) Act 1985” substitute “by virtue of section 6 of the Bankruptcy (Scotland) Act 2016”;
 - (ii) in paragraph (b), for “under” substitute “by virtue of”;
 - (iii) at the end of paragraph (b) insert “or”;
 - (iv) in paragraph (c), for “1985” substitute “2016”; and
 - (v) omit paragraph (d) and the “or” which immediately precedes paragraph (d).
 - (b) in subsection (7), for “under section 6 of the Bankruptcy (Scotland) Act 1985” substitute “by virtue of section 6 of the Bankruptcy (Scotland) Act 2016”;
 - (c) omit subsection (8); and
 - (d) in subsection (9)(c), for “under section 6 of the Bankruptcy (Scotland) Act 1985” substitute “by virtue of section 6 of the Bankruptcy (Scotland) Act 2016”.
- (5) In section 7 (Scottish trusts)—
- (a) in subsection (1)—

(1) 2010 c.10.

Status: This is the original version (as it was originally made).

- (i) in paragraph (a), for “under section 6 of the Bankruptcy (Scotland) Act 1985” substitute “by virtue of section 6 of the Bankruptcy (Scotland) Act 2016”;
 - (ii) at the end of paragraph (a) insert “or”; and
 - (iii) omit paragraph (c) and the “or” which immediately precedes paragraph (c);
 - (b) in subsection (2), for “under section 6 of the Bankruptcy (Scotland) Act 1985” substitute “by virtue of section 6 of the Bankruptcy (Scotland) Act 2016”;
 - (c) omit subsection (3); and
 - (d) in subsection (4), for “under section 6 of the Bankruptcy (Scotland) Act 1985” substitute “by virtue of section 6 of the Bankruptcy (Scotland) Act 2016”.
- (6) In section 14 (effect of transfer on insured’s liability) omit subsections (4) and (5).
- (7) In section 19A(1) (interpretation) omit “and 14(4)”.