
STATUTORY INSTRUMENTS

2017 No. 1115

**The Insolvency (England and Wales) and Insolvency (Scotland)
(Miscellaneous and Consequential Amendments) Rules 2017**

PART 5

Amendments under section 2(2) of the European Communities Act 1972

The Insolvency (England and Wales) Rules 2016

22. The Insolvency (England and Wales) Rules 2016 are amended as follows.

References to “EU Regulation”

23. For “EC Regulation” substitute “EU Regulation” in the following provisions—

- (1) rule 1.1(1) and (2);
- (2) rule 1.2(2) in the definitions of “centre of main interests”;
- (3) the title of rule 1.7;
- (4) rule 1.7(a)(ii);
- (5) rule 1.28(1);
- (6) rule 1.36(1);
- (7) rule 3.13(1)(h) and (i);
- (8) rule 10.31(1)(e)(i) (in both places where it occurs) and (ii);
- (9) rule 10.41(2)(d)(i) (in both places where it occurs) and (ii);
- (10) rule 21.4(2); and
- (11) the entry for rule 21.2 in the table in paragraph 6 sub-paragraph (3) of Schedule 4.

24. In rule 1.2(2) in the definition of “temporary administrator” for “Article 38 of the EC Regulation” substitute “Article 52 of the EU Regulation”.

25. For “Article 5 of the EC Regulation” substitute “Article 8 of the EU Regulation” in the following provisions—

- (1) rule 10.123(5); and
- (2) rule 14.16(3).

26. In rule 7.33(1)(g) for “Article 29 of the EC Regulation” substitute “Article 37 of the EU Regulation”.

27. In rule 10.8(1)(g) for “Article 2(h) of the EC Regulation” substitute “Article 2(10) of the EU Regulation”.

28. In rule 21.3(1) for “Article 37 of the EC Regulation” substitute “Article 51 of the EU Regulation”.

29. In rule 21.6(2) for “Article 40 of the EC Regulation” substitute “Article 54 of the EU Regulation”.

References to “non-EU proceedings”

30. For “non-EC proceedings” substitute “non-EU proceedings” in the following provisions—

- (1) the introductory words to rule 1.7;
- (2) rule 1.7(a)(iii);
- (3) the entry for Type of proceedings in the table in rule 2.3(1);
- (4) rule 2.14(2A)(1);
- (5) rule 2.38(2)(d);
- (6) rule 3.3(2)(h);
- (7) rule 3.6(3)(f);
- (8) rule 3.16(2)(k);
- (9) rule 3.17(1)(k);
- (10) rule 3.21(1)(i);
- (11) rule 3.23(1)(i);
- (12) rule 3.24(1)(h);
- (13) rule 3.25(2)(i);
- (14) rule 3.35(1)(m);
- (15) rule 7.5(1)(n);
- (16) rule 7.6(8);
- (17) rule 7.20(1)(g);
- (18) rule 7.26(1)(n);
- (19) rule 7.28(6);
- (20) rule 7.32(1)(h);
- (21) rule 7.35(1)(e)(ii);
- (22) the entry for Type of proceedings in the table in rule 8.3;
- (23) rule 8.24(2)(c); and
- (24) rule 10.51(e)(ii).

The European Grouping of Territorial Cooperation Regulations 2007

31. The European Grouping of Territorial Cooperation Regulations 2007(2) are amended as follows.

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32. In Schedule 1 paragraph 9 for “rule 4.21 of the Insolvency Rules 1986” substitute “rule 7.22(1) of the Insolvency (England and Wales) Rules 2016”.

(1) Inserted by [S.I. 2017/702](#).
(2) [S.I. 2007/1949](#).
(2) [S.I. 2007/1949](#).