

## SCHEDULE 2

### Consequential amendments to subordinate legislation

#### **Insolvent Partnerships Order 1994**

**6.—**(1) Schedule 2 (modified provisions of Part 2 of, and Schedule B1 to, the Insolvency Act 1986)<sup>(1)</sup> is amended as follows.

(2) In paragraph 20, in paragraph 49(4)(b) as there modified, after “partnership” insert “, other than an opted-out creditor,”;

(3) In paragraph 21—

(a) in paragraph 52(2) as there modified, for the words from “summon” to “requested” substitute “seek a decision from the partnership’s creditors as to whether they approve the proposals set out in the statement made under paragraph 49(1) if requested to do so”; and

(b) for paragraph 52(3) as there modified substitute—

“(3) Where a decision is sought by virtue of sub-paragraph (2) the initial decision date (as defined in paragraph 51(3)(2)) must be within the prescribed period.”.

(4) In paragraph 26, for paragraph 74(4)(c) as there modified substitute—

“(c) require a decision of the partnership’s creditors to be sought on a matter;”.

(5) In paragraph 37, for paragraph 97(2) and (3) as there modified substitute—

“(2) The administrator may be replaced by a decision of the creditors made by a qualifying decision procedure.

(3) The decision has effect only if, before the decision is made, the new administrator has consented to act in writing.”

(6) In paragraph 41, in paragraph 111 as there modified, omit the definitions of “correspondence” and “creditors meeting”.

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(1) Schedule 2 was substituted by [S.I. 2005/1516](#).

(2) Relevant amendments to paragraph 51(3) are made by the Small Business, Enterprise and Employment Act 2015 (c. 26), Schedule 9.