

SCHEDULE

PART 1

Amendments to the Insolvency Act 1986

30.—(1) Schedule B1 (administration)(1) is amended as follows.

(2) In paragraph 84—

(a) after sub-paragraph (1) insert—

“(1A) Sub-paragraph (1B) applies where, immediately before the administrator sends the notice, there are EU insolvency proceedings open in respect of the company in one or more other member States.

(1B) The administrator must send to the registrar, with the notice, a statement—

(a) identifying those proceedings,

(b) identifying the member State liquidator appointed in each of those proceedings, and

(c) indicating, in relation to each of those member State liquidators, whether that member State liquidator consents to the company being dissolved.”

(b) In sub-paragraph (3)—

(i) after “sub-paragraph (1)” insert “and any statement under sub-paragraph (1B)”, and

(ii) at the end insert “or them”.

(3) In sub-paragraph (6) at the end, insert “(except where sub-paragraph (6A) applies)”.

(4) After sub-paragraph (6) insert—

“(6A) This sub-paragraph applies where a statement under sub-paragraph (1B) indicates that a member State liquidator does not consent to the company being dissolved.

(6B) Where sub-paragraph (6A) applies, the company is deemed to be dissolved at the end of the period of three months beginning with the date (if any) recorded in the register as the date on which the registrar was notified that—

(a) all proceedings identified in the statement under sub-paragraph (1B) were closed, or

(b) every member State liquidator appointed in those proceedings consented to the company being dissolved.”

(5) In sub-paragraph (7)(a) and (c), after “sub-paragraph (6)” insert “or (6B)”.

(1) Schedule B1 was inserted by the Enterprise Act [2002 \(c.40\)](#).