

## SCHEDULE

### PART 4

#### Amendments to the Insolvency Act 1986 extending to Scotland only

55. The Insolvency Act 1986 is amended as follows.

#### Commencement Information

**I** Sch. para. 55 in force at 26.6.2017, see [reg. 1](#)

<sup>F1</sup>56. ....

**F1** Sch. para. 56 omitted (6.4.2019) by virtue of [The Small Business, Enterprise and Employment Act 2015 \(Commencement No. 7, Consequential, Transitional and Savings Provisions\) Regulations 2019 \(S.I. 2019/816\)](#), [reg. 6\(3\)](#)

<sup>F2</sup>57. ....

**F2** Sch. para. 57 omitted (6.4.2019) by virtue of [The Small Business, Enterprise and Employment Act 2015 \(Commencement No. 7, Consequential, Transitional and Savings Provisions\) Regulations 2019 \(S.I. 2019/816\)](#), [reg. 6\(3\)](#)

<sup>F3</sup>58. ....

**F3** Sch. para. 58 omitted (6.4.2019) by virtue of [The Small Business, Enterprise and Employment Act 2015 \(Commencement No. 7, Consequential, Transitional and Savings Provisions\) Regulations 2019 \(S.I. 2019/816\)](#), [reg. 6\(3\)](#)

59. In section 204 (early dissolution: Scotland)(1) after subsection (4) insert—

“(4A) Subsection (4B) applies where immediately before the liquidator makes an application under subsection (2), there are EU insolvency proceedings open in respect of the company in one or more other member States.

(4B) The liquidator must send to the registrar with the copy of the order forwarded under subsection (4) 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.

(4C) The registrar must forthwith register a statement received under subsection (4B).

(4D) Subsection (4E) applies where—

- (a) the court makes an order under subsection (3) that the company be dissolved in accordance with this section, but

(1) Section 204 has been amended by [SSI 2016/141](#). Amendments made by the Small Business, Enterprise and Employment Act 2015 have not been commenced in respect of Scotland.

**Changes to legislation:** There are currently no known outstanding effects for the The Insolvency Amendment (EU 2015/848) Regulations 2017, PART 4. (See end of Document for details)

(b) a statement under subsection (4B) indicates that a member State liquidator does not consent to the company being dissolved.

(4E) The company is deemed to be dissolved at the end of the period of 3 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 subsection (4B) were closed, or
- (b) every member State liquidator appointed in those proceedings consented to the company being dissolved.”

**Commencement Information**

**I2** Sch. para. 59 in force at 26.6.2017, see [reg. 1](#)

**F4**~~60.~~ .....

**F4** Sch. para. 60 omitted (6.4.2019) by virtue of [The Small Business, Enterprise and Employment Act 2015 \(Commencement No. 7, Consequential, Transitional and Savings Provisions\) Regulations 2019 \(S.I. 2019/816\)](#), [reg. 6\(3\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Insolvency Amendment (EU 2015/848) Regulations 2017, PART 4.