

SCHEDULE 4

CONSEQUENTIAL AMENDMENTS

PART 3

AMENDMENTS OF OTHER ENACTMENTS AND INSTRUMENTS

Insolvency Act 1986 (c.45)

42.—(1) Section 187 of that Act (power of liquidator to make payments to provide for employees or former employees on cessation or transfer of business) is amended as follows.

(2) In subsection (1) (power to act on decision of company made before commencement of winding up) for “section 719 of the Companies Act” substitute “section 247 of the Companies Act 2006”.

(3) For subsection (2) (power of liquidator to make provision after winding up has commenced) substitute—

“(2) The liquidator may, after the winding up has commenced, make any such provision as is mentioned in section 247(1) if—

- (a) the company’s liabilities have been fully satisfied and provision has been made for the expenses of the winding up,
- (b) the exercise of the power has been sanctioned by a resolution of the company, and
- (c) any requirements of the company’s memorandum or articles as to the exercise of the power conferred by section 247(1) are complied with.”.