



# Insolvency Act 1986

## 1986 CHAPTER 45

### PART XV

#### SUBORDINATE LEGISLATION

##### *Fees orders*

#### **414 Fees orders (company insolvency proceedings).**

- (1) There shall be paid in respect of—
  - (a) proceedings under any of [F<sup>1</sup>Parts A1] to VII of this Act, and
  - (b) the performance by the official receiver or the Secretary of State of functions under those Parts,such fees as the competent authority may with the sanction of the Treasury by order direct.
- (2) That authority is—
  - (a) in relation to England and Wales, the Lord Chancellor, and
  - (b) in relation to Scotland, the Secretary of State.
- (3) The Treasury may by order direct by whom and in what manner the fees are to be collected and accounted for.
- (4) The Lord Chancellor may, with the sanction of the Treasury, by order provide for sums to be deposited, by such persons, in such manner and in such circumstances as may be specified in the order, by way of security for fees payable by virtue of this section.
- (5) An order under this section may contain such incidental, supplemental and transitional provisions as may appear to the Lord Chancellor, the Secretary of State or (as the case may be) the Treasury necessary or expedient.
- (6) An order under this section shall be made by statutory instrument and, after being made, shall be laid before each House of Parliament.
- (7) Fees payable by virtue of this section shall be paid into the Consolidated Fund.

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*Changes to legislation: Insolvency Act 1986, Section 414 is up to date with all changes known to be in force on or before 14 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (8) References in subsection (1) to [F2Parts A1] to VII of this Act are to be read as including [F3the Companies Acts] so far as relating to, and to matters connected with or arising out of, the insolvency or winding up of companies.
- [F4(8A) This section applies in relation to Part 2 of the Banking Act 2009 (bank insolvency) as in relation to Parts I to VII of this Act.]
- [F5(8B) This section applies in relation to Part 3 of the Banking Act 2009 (bank administration) as in relation to Parts I to VII of this Act.]
- [F6(8C) In subsections (8A) and (8B) the reference to Parts 2 and 3 of the Banking Act 2009 include references to those Parts as applied to building societies (see section 90C of the Building Societies Act 1986).]
- (9) [F7Nothing in this section prejudices any power to make rules of court; and the application of this section to Scotland is without prejudice to section 2 of the M1Courts of Law Fees (Scotland) Act 1895.]

#### Textual Amendments

- F1** Words in s. 414(1)(a) substituted (26.6.2020) by [Corporate Insolvency and Governance Act 2020 \(c. 12\), s. 49\(1\), Sch. 3 para. 23\(2\)](#) (with ss. 2(2), 5(2))
- F2** Words in s. 414(8) substituted (26.6.2020) by [Corporate Insolvency and Governance Act 2020 \(c. 12\), s. 49\(1\), Sch. 3 para. 23\(3\)](#) (with ss. 2(2), 5(2))
- F3** Words in s. 414(8) substituted (1.10.2007) by [The Companies Act 2006 \(Commencement No. 3, Consequential Amendments, Transitional Provisions and Savings\) Order 2007 \(S.I. 2007/2194\), art. 10\(1\), Sch. 4 para. 44](#) (with art. 12)
- F4** S. 414(8A) inserted (17.2.2009 for certain purposes, otherwise 21.2.2009) by [Banking Act 2009 \(c. 1\), ss. 126, 263\(1\)\(2\)](#) (with s. 247); S.I. 2009/296, [arts. 2, 3, Sch.](#)
- F5** S. 414(8B) inserted (17.2.2009 for certain purposes, otherwise 21.2.2009) by [Banking Act 2009 \(c. 1\), ss. 161, 263\(1\)\(2\)](#) (with s. 247); S.I. 2009/296, [arts. 2, 3, Sch.](#)
- F6** S. 414(8C) inserted (29.3.2009) by [The Building Societies \(Insolvency and Special Administration\) Order 2009 \(S.I. 2009/805\), art. 14](#)
- F7** S. 414(9) repealed (S.) (1.4.2015) by [The Courts Reform \(Scotland\) Act 2014 \(Consequential Provisions\) Order 2015 \(S.S.I. 2015/150\), art. 1, sch. para. 4](#)

#### Modifications etc. (not altering text)

- C1** S. 414 extended by [Building Societies Act 1986 \(c. 53, SIF 16\), ss. 54\(3\)\(a\)\(5\)\(a\), 90, 126\(3\), Sch. 15 para. 58\(2\)](#)
- C2** S. 414 extended by [Company Directors Disqualification Act 1986 \(c. 46, SIF 27\), ss. 21\(2\), 25](#)
- C3** S. 414 extended (1.2.1993) by [Friendly Societies Act 1992 \(1992 c. 40\), s. 23, Sch. 10 para. 69\(2\)](#) (with ss. 7(5), 93(4)); S.I. 1993/16, art. 2, [Sch.3](#)
- C4** S. 414 applied (1.12.1994) by S.I. 1994/2421, [arts. 4\(3\)\(e\), 6\(3\)\(e\)](#)  
S. 414 extended (1.12.1997) by 1986 c. 53, [Sch. 15A para. 4\(2\)](#) (as inserted (1.12.1997) by 1997 c. 32, s. 39(2), [Sch. 6](#); S.I. 1997/2668, art. 2, [Sch. Pt. I\(i\)](#))
- C5** S. 414 applied (with modifications) (8.7.2021) by [The Payment and Electronic Money Institution Insolvency Regulations 2021 \(S.I. 2021/716\), regs. 2, 37](#) (with reg. 5) (as amended (4.1.2024) by S.I. 2023/1399, regs. 1(2), 4, 11)
- C6** S. 414(4) modified (1.12.1994) by S.I. 1994/2421, [art. 13\(1\)](#)
- C7** S. 414(4) modified by S.I. 1986/2142, [arts. 1\(2\), 5\(3\), 15](#)

#### Marginal Citations

- M1** 1895 c. 14

**Changes to legislation:**

Insolvency Act 1986, Section 414 is up to date with all changes known to be in force on or before 14 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act amendment to earlier affecting provision S.I. 1986/1999, art. 3, Sch. 1 Pt. 2 by [S.I. 2017/1119 Sch. 3 para. 1](#)
- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 41HB(2) words substituted by [2018 c. 14 s. 1\(3\)\(b\)](#)