



Insolvency Act 1986

1986 CHAPTER 45

PART XVII

MISCELLANEOUS AND GENERAL

[^{F2}426A Disqualification from Parliament [^{F1}(England and Wales and Northern Ireland)]

- (1) A person in respect of whom a bankruptcy restrictions order [^{F3} or a debt relief restrictions order] has effect shall be disqualified—
 - (a) from membership of the House of Commons,
 - (b) from sitting or voting in the House of Lords, and
 - (c) from sitting or voting in a committee of the House of Lords or a joint committee of both Houses.
- (2) If a member of the House of Commons becomes disqualified under this section, his seat shall be vacated.
- (3) If a person who is disqualified under this section is returned as a member of the House of Commons, his return shall be void.
- (4) No writ of summons shall be issued to a member of the House of Lords who is disqualified under this section.
- (5) If a court makes a bankruptcy restrictions order or interim order [^{F4}, or a debt relief restrictions order or an interim debt relief restrictions order,] in respect of a member of the House of Commons or the House of Lords the court shall notify the Speaker of that House.
- (6) If the Secretary of State accepts a bankruptcy restrictions undertaking [^{F5} or a debt relief restrictions undertaking] made by a member of the House of Commons or the House of Lords, the Secretary of State shall notify the Speaker of that House.]
- [^{F6}(7) If the Department of Enterprise, Trade and Investment for Northern Ireland accepts a bankruptcy restrictions undertaking made by a member of the House of Commons or the House of Lords under Schedule 2A to the Insolvency (Northern Ireland) Order 1989, the Department shall notify the Speaker of that House.

Changes to legislation: Insolvency Act 1986, Section 426A is up to date with all changes known to be in force on or before 12 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

- (8) In this section a reference to a bankruptcy restrictions order or an interim order includes a reference to a bankruptcy restrictions order or an interim order made under Schedule 2A to the Insolvency (Northern Ireland) Order 1989.]

Textual Amendments

- F1** Words in s. 426A substituted (14.6.2012) by [The Insolvency Act 1986 \(Disqualification from Parliament\) Order 2012 \(S.I. 2012/1544\)](#), arts. 1, **3(a)**
- F2** Ss. 426A-426C inserted (1.4.2004) by [2002 c. 40, ss. 266\(1\), 279 \(with s. 249\(6\)\)](#); [S.I. 2003/2093, art. 2\(2\), Sch. 2](#) (subject to [arts. 3-8](#) (as amended by [S.I. 2003/2332, art. 2](#)))
- F3** Words in s. 426A(1) inserted (24.2.2009 for certain purposes otherwise 6.4.2009) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\), ss. 108\(3\), 148\(5\), Sch. 20 para. 12\(2\)](#); [S.I. 2009/382, art. 2](#)
- F4** Words in s. 426A(5) inserted (24.2.2009 for certain purposes otherwise 6.4.2009) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\), ss. 108\(3\), 148\(5\), Sch. 20 para. 12\(3\)](#); [S.I. 2009/382, art. 2](#)
- F5** Words in s. 426A(6) inserted (24.2.2009 for certain purposes otherwise 6.4.2009) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\), ss. 108\(3\), 148\(5\), Sch. 20 para. 12\(4\)](#); [S.I. 2009/382, art. 2](#)
- F6** S. 426A(7)(8) inserted (14.6.2012) by [The Insolvency Act 1986 \(Disqualification from Parliament\) Order 2012 \(S.I. 2012/1544\)](#), arts. 1, **3(b)**

Modifications etc. (not altering text)

- C1** S. 426A power to apply or amend conferred (1.4.2004) by [2002 c. 40, ss. 266\(3\)\(a\)\(b\), 279 \(with s. 249\(6\)\)](#); [S.I. 2003/2093, art. 2\(2\), Sch. 2](#) (subject to [arts. 3-8](#) (as amended by [S.I. 2003/2332, art. 2](#)))
- C2** S. 426A modified (14.5.2014) by [House of Lords Reform Act 2014 \(c. 24\), ss. 6\(2\)\(b\), 7\(3\)](#)

Changes to legislation:

Insolvency Act 1986, Section 426A is up to date with all changes known to be in force on or before 12 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.

[View outstanding changes](#)

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\(3\)\(b\)](#)