



# Insolvency Act 1986

## 1986 CHAPTER 45

### PART III

#### RECEIVERSHIP

#### [<sup>F1</sup>CHAPTER IV

#### PROHIBITION OF APPOINTMENT OF ADMINISTRATIVE RECEIVER

#### [<sup>F1</sup> Exception in respect of urban regeneration projects

[<sup>F2</sup>72DA

- (1) Section 72A does not prevent the appointment of an administrative receiver of a project company of a project which—
  - (a) is designed wholly or mainly to develop land which at the commencement of the project is wholly or partly in a designated disadvantaged area outside Northern Ireland, and
  - (b) includes step-in rights.
- (2) In subsection (1) “develop” means to carry out—
  - (a) building operations,
  - (b) any operation for the removal of substances or waste from land and the levelling of the surface of the land, or
  - (c) engineering operations in connection with the activities mentioned in paragraph (a) or (b).
- (3) In this section—

“building” includes any structure or erection, and any part of a building as so defined, but does not include plant and machinery comprised in a building,

“building operations” includes—

  - (a) demolition of buildings,
  - (b) filling in of trenches,
  - (c) rebuilding,

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**Changes to legislation:** *Insolvency Act 1986, Section 72DA is up to date with all changes known to be in force on or before 17 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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- (d) structural alterations of, or additions to, buildings and
  - (e) other operations normally undertaken by a person carrying on business as a builder,
- “designated disadvantaged area” means an area designated as a disadvantaged area under section 92 of the Finance Act 2001,
- “engineering operations” includes the formation and laying out of means of access to highways,
- “project company” has the meaning given by paragraph 7 of Schedule 2A,
- “step-in rights” has the meaning given by paragraph 6 of that Schedule,
- “substance” means any natural or artificial substance whether in solid or liquid form or in the form of a gas or vapour, and
- “waste” includes any waste materials, spoil, refuse or other matter deposited on land.]]

#### Textual Amendments

- F1** Pt. III Ch. IV (ss. 72A-72H) inserted (18.3.2003 for the purpose of giving effect to the insertion of s. 72H(2)-(5) and otherwise 15.9.2003) by 2002 c. 40, ss. 250(1), 279 (with s. 249(6)); S.I. 2003/765, art. 2, Sch.; S.I. 2003/2093, art. 2(1), Sch. 1 (subject to arts. 3-8 (as amended by S.I. 2003/2332, art. 2))
- F2** S. 72DA inserted (15.9.2003) by *The Insolvency Act 1986 (Amendment) (Administrative Receivership and Urban Regeneration etc.) Order 2003* (S.I. 2003/1832), arts. 1, 2(b); S.I. 2003/2093, art. 2(1), Sch. 1

**Changes to legislation:**

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