

## SCHEDULES

### SCHEDULE 4

#### FORFEITURE ORDERS

##### PART IV

##### INSOLVENCY: UNITED KINGDOM PROVISIONS

###### *Interpretation*

- 53 (1) In this Part of this Schedule (other than in paragraph 51) “insolvency practitioner” means a person acting in any qualifying insolvency proceedings in any part of the United Kingdom as—
- (a) a liquidator of a company or partnership,
  - (b) a trustee in bankruptcy,
  - (c) the permanent or interim trustee on the debtor’s estate,
  - (d) an administrator of the insolvent estate of a deceased person, or
  - (e) a receiver or manager of any property.
- (2) In this Part of this Schedule “qualifying insolvency proceedings” means—
- (a) any proceedings under the Insolvency Act 1986 or the Insolvency (Northern Ireland) Order 1989 for the winding up of a company or an unregistered company and includes any voluntary winding up of a company under Part IV of that Act or Part V of that Order,
  - (b) any proceedings in England and Wales or Northern Ireland under or by virtue of section 420 of the Insolvency Act 1986 or Article 364 of the Insolvency (Northern Ireland) Order 1989 for the winding up of an insolvent partnership,
  - (c) any proceedings in bankruptcy or, in Scotland, any sequestration of a debtor’s estate, or
  - (d) any proceedings in England and Wales or in Northern Ireland under or by virtue of section 421 of the Insolvency Act 1986 or Article 365 of the Insolvency (Northern Ireland) Order 1989 in relation to the insolvent estate of a deceased person.
- (3) In this Part of this Schedule “the relevant officer” means in England and Wales and in Northern Ireland—
- (a) where the forfeiture order in question is made by a court in England and Wales, the proper officer within the meaning given in paragraph 4,
  - (b) where the forfeiture order in question is made by a court in Northern Ireland, the proper officer within the meaning given in paragraph 32, and
  - (c) in any other case, the appropriate officer of the High Court.
- (4) In this Part of this Schedule “the relevant officer” means in Scotland—

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*Status: This is the original version (as it was originally enacted).*

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- (a) where the forfeiture order in question is made by a court in Scotland, the clerk of the court,
  - (b) in any other case, the Principal Clerk of Session and Justiciary.
- (5) In this Part of this Schedule references to the proceeds of sale or realisation of property are references to the proceeds after deduction of the costs of sale or realisation.