
STATUTORY INSTRUMENTS

1986 No. 2001

INSOLVENCY

**The Insolvency (Amendment of Subordinate Legislation) Order
1986**

<i>Made - - - -</i>	<i>20th November 1986</i>
<i>Laid before Parliament</i>	<i>8th December 1986</i>
<i>Coming into Operation</i>	<i>29th December 1986</i>

The Lord Chancellor, in exercise of the powers conferred on him by sections 439 and 441(1) of the Insolvency Act 1986^(a) and of all other powers enabling him in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Insolvency (Amendment of Subordinate Legislation) Order 1986 and shall come into operation on 29th December 1986.

2. The subordinate legislation specified in the Schedule to this Order (the consequential modification of which appears to the Lord Chancellor necessary or expedient in respect of the matters mentioned in section 439(3) of the Insolvency Act 1986) is hereby amended as specified in Column 3 of the Schedule.

Dated 20th November 1986.

Hailsham of St Marylebone, C.

(a) 1986 c.45.

Article 2

THE SCHEDULE

CONSEQUENTIAL AMENDMENTS TO SUBORDINATE LEGISLATION

Column 1 Subordinate legislation amended	Column 2 References	Column 3 Extent of amendments
The Deeds of Arrangement Rules 1925	S.R.&O. 1925/795	In Rule 17, (a) for "Bankruptcy Act 1914" substitute "Parts VIII to XI of the Insolvency Act 1986"; and (b) for "Bankruptcy Rules" substitute "Insolvency Rules".
The Land Registration Rules 1925	S.R.&O. 1925/1093	In Rule 174(1), for "under Section 130 of the Bankruptcy Act 1914" substitute "in accordance with an order under Section 421 of the Insolvency Act 1986". In Rules 181(c), 182 and 183, for "receiving order" substitute "bankruptcy order".
The Trading with the Enemy (Insolvency) Order 1940	S.R.&O. 1940/1419	In Article 6, in the definition of "A bankrupt", for "pursuant to the Bankruptcy Acts 1914 and 1926" substitute "by a bankruptcy order within the meaning of Parts VIII to XI of the Insolvency Act 1986".
The Reinstatement in Civil Employment (Isle of Man) Order 1944	S.R.&O. 1944/1129	In paragraph 9 of the Schedule, for "Receiving Order" substitute "bankruptcy order".
The Rules of the Supreme Court 1965	S.I. 1965/1776	In Order 1, rule 2, in the Table, for the first item substitute "1 Insolvency Proceedings Insolvency Act 1986, ss. 411 and 412". In Order 55, rule 1(3)— (a) for "Divisional Court of the High Court under section 108(2) of the Bankruptcy Act 1914" substitute "single judge under section 375 of the Insolvency Act 1986"; and (b) for "Bankruptcy Rules 1952" substitute "Insolvency Rules 1986".

Column 1 Subordinate legislation amended	Column 2 References	Column 3 Extent of amendments
		In Order 57, rule 1(2), for “Divisional Court of the High Court under section 108(2) of the Bankruptcy Act 1914” substitute “single judge under section 375 of the Insolvency Act 1986”.
		In Order 95, rule 6(2), for “section 43(1) of the Bankruptcy Act 1914” substitute “section 344 of the Insolvency Act 1986”.
The Rating (Exemption of Unoccupied Property) Regulations 1967	S.I. 1967/954	In Regulation 2(b), for “receiving order made under the Bankruptcy Act 1914” substitute “bankruptcy order within the meaning of Parts VIII to XI of the Insolvency Act 1986”.
The Savings Contracts Regulations 1969	S.I. 1969/1342	In Regulations 8, 27(c), 28(2)(c) and 30(2)(d), for “receiving order” substitute “bankruptcy order”.
The Savings Certificates Regulations 1972	S.I. 1972/641	In Regulations 11, 39(c), 40(2)(c) and 42(2)(d) for “receiving order” substitute “bankruptcy order”.
The National Savings Bank Regulations 1972	S.I. 1972/764	In Regulations 26, 55(c), 56(2)(c) and 58(2)(d), for “receiving order” substitute “bankruptcy order”.
The Premium Savings Bonds Regulations 1972	S.I. 1972/765	In Regulations 11, 31(c), 32(2)(c) and 34(2)(d) for “receiving order” substitute “bankruptcy order”.
The Mortgaging of Aircraft Order 1972	S.I. 1972/1268	Omit Article 15.
The Land Charges Rules 1974	S.I. 1974/1286	In Schedule 1, item 3— (a) for “receiving order” wherever it occurs substitute “bankruptcy order”; and (b) omit “in bankruptcy” wherever it occurs.
The National Insurance (Non-participation – Transitional Provisions) Regulations 1974	S.I. 1974/2057	In Regulation 8, for “receiving order” substitute “bankruptcy order”.

Column 1 Subordinate legislation amended	Column 2 References	Column 3 Extent of amendments
The Teachers' Super- annuation Regulations 1976	S.I. 1976/1987	In Regulation 95(3), for "sec- tion 51(2) of the Bankruptcy Act 1914" substitute "section 310 of the Insolvency Act 1986".
The National Savings Stock Register Regula- tions 1976	S.I. 1976/2012	In Regulations 24, 59(c), 60(2)(c) and 62(2)(d) for "re- ceiving order" substitute "bankruptcy order".
The Practising Certifi- cate Regulations 1976		<p>In the Schedule, in Form PCR6—</p> <p>(a) In the heading—</p> <p>(i) for "Receiving Order in Ban- kruptcy" substi- tute "Bankruptcy Order"; and</p> <p>(ii) for "Obtained his Discharge" sub- stitute "been dis- charged";</p> <p>(b) in Question 1 for "(a) order of adjudication/ receiving order in your bankruptcy" sub- stitute "bankruptcy order made against you";</p> <p>(c) for Question 5 substi- tute "To what was your bankruptcy at- tributable?";</p> <p>(d) in Question 6, after "have you" insert "been discharged from your bankruptcy or"; and</p> <p>(e) for Question 7 substi- tute, "Attach to this notice an official copy of any report on your affairs sent by the Of- ficial Receiver to your creditors or, if you have applied for your discharge, of the re- port of his to the court".</p>
The Legal Aid (Gener- al) Regulations 1980	S.I. 1980/1894	In Regulations 72(b) and 81(c)(ii) for "receiving order" substitute "bankruptcy order".

Column 1 Subordinate legislation amended	Column 2 References	Column 3 Extent of amendments
The County Court Rules 1981	S.I. 1981/1687	<p>In Order 25, rule 7(4), for “section 41 of the Bankruptcy Act 1914” substitute “section 346 of the Insolvency Act 1986”.</p> <p>In Order 26, rule 8(1), for “section 41(2) of the Bankruptcy Act 1914” substitute “section 346(3) and (4) of the Insolvency Act 1986”.</p> <p>In Order 26, rule 8(2)(a), for “receiving order” substitute “bankruptcy order”.</p> <p>In Order 27, rule 13(7), for “receiving order or an order of adjudication in bankruptcy” substitute “bankruptcy order”.</p> <p>Omit Order 39, rule 15.</p>
The County Court (Forms) Rules 1982	S.I. 1982/586	<p>In Form N.67, omit “or why a Receiving Order should not be made against you pursuant to subsection (4) of Section 107 of the Bankruptcy Act 1914”.</p> <p>In Form N.74, omit “a receiving order or”.</p>
The Public Lending Right Scheme 1982	Set out in the Appendix to S.I. 1982/719	<p>In Article 28(1), for “under section 130 of the Bankruptcy Act 1914” substitute “in accordance with an order under section 421 of the Insolvency Act 1986”.</p>
The National Health Service (Regional and District Health Authorities Membership and Procedure) Regulations 1983	S.I. 1983/315	<p>In Article 8(1), for paragraphs (b), (c) and (d) substitute “(b) if he is discharged, the disqualification shall cease on the date of his discharge”.</p>
The Dealers in Securities (Licensing) Regulations 1983	S.I. 1983/587	<p>In Schedule 1, in Part IV, in paragraph 15(a), omit “or a receiving order has been made against him”.</p>
The Civil Courts Order 1983	S.I. 1983/713	<p>In Article 9, for “section 96(2) of the Bankruptcy Act 1914” substitute “section 374(1)(a) of the Insolvency Act 1986”.</p>
The Civil Courts (Amendment) Order 1984	S.I. 1984/297	<p>In Article 8, for “section 96(2) of the Bankruptcy Act 1914” substitute “section 374(1)(a) of the Insolvency Act 1986”.</p>
The Savings Certificates (Yearly Plan) Regulations 1984	S.I. 1984/779	<p>In Regulations 11, 33(c), 34(2)(c) and 36(2)(d) for “receiving order” substitute “bankruptcy order”.</p>

Column 1 Subordinate legislation amended	Column 2 References	Column 3 Extent of amendments
The Deeds of Arrangement Fees Order 1984	S.I. 1984/887	In Article 2(a), for "section 133(1) of the Bankruptcy Act 1914" substitute "section 415(1) and (2) of the Insolvency Act 1986".
The Civil Courts (Amendment No. 2) Order 1984	S.I. 1984/1075	In Article 7, for "section 96(2) of the Bankruptcy Act 1914" substitute "section 374(1)(a) of the Insolvency Act 1986".
The Society of Lloyd's Byelaws, No. 9 of 1984—Membership, dated 12th November 1984		In paragraph 22, for "receiving order" substitute "bankruptcy order" and omit "in bankruptcy", wherever it occurs.
The Family Practitioner Committees (Membership and Procedure) Regulations 1985	S.I. 1985/213	In Regulation 6(1), for paragraphs (b), (c) and (d) substitute "(b) if he is discharged, the disqualification shall cease on the date of his discharge".
The Welsh Health Common Services Authority Constitution Order 1985	S.I. 1985/996	In Article 9(1), for paragraphs (b), (c) and (d) substitute "(b) if he is discharged, the disqualification shall cease on the date of his discharge".
The Register of County Court Judgments Regulations 1985	S.I. 1985/1807	In Regulation 5(4), for "section 41(2) of the Bankruptcy Act 1914" substitute "section 346(3) and (4) of the Insolvency Act 1986".
The Civil Courts (Amendment No. 2) Order 1986	S.I. 1986/1361	In Article 4, for "section 96(2) of the Bankruptcy Act 1914" substitute "section 374(1)(a) of the Insolvency Act 1986".

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order makes such consequential modification of subordinate legislation referring to United Kingdom bankruptcy provisions made before the coming into force of the Insolvency Act 1986 as appears to the Lord Chancellor necessary or expedient in respect of the matters set out in paragraph (a), (b) or (c) of section 439(3) of the Act.

A copy of the Practising Certificate Regulations 1976 can be obtained from the Law Society, 113 Chancery Lane, London WC2. Lloyd's Byelaws are published by the Corporation of Lloyd's, Lime Street, London EC3.

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