

---

STATUTORY INSTRUMENTS

---

**1999 No. 2979**

**The Financial Markets and Insolvency  
(Settlement Finality) Regulations 1999**

**PART III**

**TRANSFER ORDERS EFFECTED THROUGH A  
DESIGNATED SYSTEM AND COLLATERAL SECURITY**

**Adjustment of prior transactions**

**17.—**(1) No order shall be made in relation to a transaction to which this regulation applies under—

- (a) section 238 or 339 of the Insolvency Act 1986 (transactions at an undervalue);
  - (b) section 239 or 340 of that Act (preferences); or
  - (c) section 423 of that Act (transactions defrauding creditors).
- (2) As respects Scotland, no decree shall be granted in relation to any such transaction—
- (a) under section 34 or 36 of the Bankruptcy (Scotland) Act 1985 or section 242 or 243 of the Insolvency Act 1986 (gratuitous alienations and unfair preferences); or
  - (b) at common law on grounds of gratuitous alienations or fraudulent preferences.
- (3) This regulation applies to—
- (a) a transfer order, or any disposition of property in pursuance of such an order;
  - (b) the provision of collateral security;
  - (c) a contract for the purpose of realising collateral security or any disposition of property in pursuance of such a contract; or
  - (d) any disposition of property in accordance with the rules of a designated system as to the application of collateral security.