

SCHEDULE

PART 2

SECONDARY LEGISLATION

THE LAND REGISTRATION RULES 1925

41. In Rule 185(1) of the Land Registration Rules 1925(1) (administration orders and liquidation of a company)—

- (a) for “an administration order has been made by the court in respect of the company” substitute “a company enters administration”, and
- (b) after “the order” insert “or the notice of appointment,”.

THE STATUTORY SICK PAY (GENERAL) REGULATIONS 1982

42. In regulation 9B(2) of the Statutory Sick Pay (General) Regulations 1982(2) (insolvency of employer)—

- (a) in sub-paragraph (a)(iii)—
 - (i) omit “or an administration order”, and
 - (ii) after “with respect to it” insert “or it enters administration”, and
- (b) in sub-paragraph (b)(iii)—
 - (i) omit “or an administration order”, and
 - (ii) after “with respect to it” insert “or it enters administration”.

THE ROAD VEHICLES (CONSTRUCTION AND USE) REGULATIONS 1986

43. In Schedule 3B to the Road Vehicles (Construction and Use) Regulations 1986(3) authorised sealers) in paragraph 5(3)(a) for “an administration order is made in relation to it” substitute “enters administration”.

THE STATUTORY MATERNITY PAY (GENERAL) REGULATIONS 1986

44. In regulation 7(4) of the Statutory Maternity Pay (General) Regulations 1986(4) (liability of Commissioners of Inland Revenue to pay Statutory Maternity Pay)—

- (a) in sub-paragraph (a)(iii)—
 - (i) omit “or an administration order”, and
 - (ii) after “with respect to it” insert “or it enters administration”, and
- (b) in sub-paragraph (b)(iii)—
 - (i) omit “or an administration order”, and
 - (ii) after “with respect to it” insert “or it enters administration”.

THE DOCK WORK (COMPENSATION PAYMENTS SCHEME) REGULATIONS 1989

45. In paragraph 9(4)(c) of the Schedule to the Dock Work (Compensation Payments Scheme) Regulations 1989(5) (compensation payments scheme)—

(1) S.I.1925/1093.
(2) S.I. 1982/894.
(3) S.I. 1986/1078.
(4) S.I. 1986/1960.
(5) S.I. 1989/1111.

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- (a) omit “or an administration order”, and
- (b) after “made with respect to it” insert “or the company has entered administration”.

THE TAX-EXEMPT SPECIAL SAVINGS ACCOUNT REGULATIONS 1990

46. In regulation 11(c) of the Tax-exempt Special Savings Account Regulations 1990⁽⁶⁾ (society, person or institution ceasing to be entitled to operate accounts) for “an administration order is made in relation to it” substitute “it enters administration”.

THE FINANCIAL MARKETS AND INSOLVENCY REGULATIONS 1991

47. The Financial Markets and Insolvency Regulations 1991⁽⁷⁾ shall be amended as follows.

48. In regulation 14 (limitation on disapplication of sections 10(1)(b) and 11(3)(c) of Insolvency Act 1986 in relation to CGO Service charges)

- (a) for the sub-heading to that regulation substitute—

“Limitation on disapplication of moratorium on certain legal processes under Schedule B1 to the Insolvency Act 1986 (administration) in relation to CGO Service charges”,
- (b) in paragraph (1) for “a petition” substitute “an application”,
- (c) after paragraph (1) insert—

“(1A) A reference in paragraph (1) to an application for an administration order shall be treated as including a reference to—

- (a) appointing an administrator under paragraph 14 or 22 of Schedule B1 to the Insolvency Act 1986, or
- (b) filing with the court a notice of intention to appoint an administrator under either of those paragraphs,

and a reference to “an administration order” shall include the appointment of an administrator under paragraph 14 or 22 of Schedule B1 to the Insolvency Act 1986.”, and

- (d) in paragraph (2) for “The disapplication of section 10(1)(b) and 11(3)(c) of the Insolvency Act 1986” substitute

“The disapplication of paragraph 43(2) of Schedule B1 to the Insolvency Act 1986 (including that provisions as applied by paragraph 44 of that Schedule)”.

49. In regulation 15 (ability of administrator or receiver to recover assets in case of property subject to CGO service charge or Talisman charge)—

- (a) in paragraph (1) for “The disapplication of sections 15(1) and (2), 43 and 61 of the Insolvency Act 1986 by section 175(1)(b) and 175(3) of the Act shall cease to have effect” substitute—

“The disapplication—

- (a) by section 175(1)(b) of the Act, of paragraphs 70, 71 and 72 of Schedule B1 to the Insolvency Act 1986, and
- (b) by section 175(3) of the Act, of sections 43 and 61 of the 1986 Act, shall cease to have effect”, and

- (b) after paragraph (1) insert—

⁽⁶⁾ S.I. 1990/2361.
⁽⁷⁾ S.I. 1991/880.

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“(1A) A reference in paragraph (1) to “an administration order” shall include the appointment of an administrator under paragraph 14 or 22 of Schedule B1 to the Insolvency Act 1986.”.

50. In regulation 19(2) (court having jurisdiction in respect of proceedings under Part VII of Act)

- (a) after “(2)” insert “and (2A)”,
- (b) for “petition” substitute “application”, and
- (c) after “presented” insert “or the notice of intention to appoint has been filed”.

THE RETIREMENT BENEFITS SCHEMES (RESTRICTION ON DISCRETION TO APPROVE) (SMALL SELF-ADMINISTERED SCHEMES) REGULATIONS 1991

51. In regulation 6 of the Retirement Benefits Schemes (Restriction on Discretion to Approve) (Small Self-administered Schemes) Regulations 1991(**8**) (provisions as to lending and the acquisition of shares)—

- (a) in paragraph (4)(c) omit “or an administration order” and after “made with respect to it,” (where it first occurs) insert “or it has entered administration,” and
- (b) in paragraph (6)(c) omit “or an administration order” and after “with respect to it,” insert “or it has entered administration,”.

THE IRAQ (UNITED NATIONS) (SEQUESTRATION OF ASSETS) (DEPENDENT TERRITORIES) ORDER 1993

52. In Article 20(3)(iii) of the Iraq (United Nations) (Sequestration of Assets) (Dependent Territories) Order 1993(**9**) (restitution) for “is the subject of an administration order” substitute “is in administration”.

THE MONEY LAUNDERING REGULATIONS 1993

53. In regulation 13 of the Money Laundering Regulations 1993(**10**) (record-keeping procedures; supplementary provisions)—

- (a) in paragraph (1)(d) omit “or an administration order” and after “with respect to it” insert “, or it has entered administration,” and
- (b) in paragraph (2)(b) omit “or an administration order” and after “with respect to it” insert “, or it has entered administration”.

THE INSURANCE PREMIUM TAX REGULATIONS 1994

54. In regulation 11(4) of the Insurance Premium Tax Regulations 1994(**11**) (death, bankruptcy or incapacity of registrable persons) for “an administration order being made in relation to it” substitute “entering administration”.

THE VALUE ADDED TAX REGULATIONS 1995

55. The Value Added Tax Regulations 1995(**12**) shall be amended as follows.

56. In regulation 9(3) (death, bankruptcy or incapacity of taxable person) for “to an administration order being made in relation to it” substitute “entering administration”.

(**8**) S.I. 1991/1614.
(**9**) S.I. 1993/1245.
(**10**) S.I. 1993/1933.
(**11**) S.I. 1994/1774.
(**12**) S.I. 1995/2518.

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57. In regulation 10(6) (VAT representatives) for “to an administration order being made in relation to it” substitute “entering administration”.

58. In regulation 24(b)(ii) (interpretation of Part V) for “an administration order has been made” substitute “an administrator has been appointed”.

59. In regulation 207(3) (death, bankruptcy or incapacity of certified person) for “to an administration order being made in relation to it” substitute “entering administration”.

THE GOODS VEHICLES (LICENSING OF OPERATORS) REGULATIONS 1995

60. In regulation 31(2)(d) of the Good Vehicles (Licensing of Operators) Regulations 1995⁽¹³⁾ (continuance of licence on death, bankruptcy etc) for “an administration order being made in relation to the actual holder” substitute “entering administration”.

THE FINANCIAL MARKETS AND INSOLVENCY REGULATIONS 1996

61. The Financial Markets and Insolvency Regulations 1996⁽¹⁴⁾ shall be amended as follows.

62. In regulation 6 (limitation on disapplication of sections 10(1)(b) and 11(3)(c) of Insolvency Act 1986 in relation to system-charges)—

(a) for the sub-heading to that regulation substitute—

“Limitation on disapplication of moratorium on certain legal processes under Schedule B1 to the Insolvency Act 1986 (administration) in relation to system-charges”,

(b) after paragraph (1) insert—

“(1A) A reference in paragraph (1) to “an administration order” shall include the appointment of an administrator under paragraph 14 or 22 of Schedule B1 to the Insolvency Act 1986”,

(c) in paragraph (2) for “The disapplication of section 10(1)(b) and 11(3)(c) of the Insolvency Act 1986” substitute “The disapplication of paragraph 43(2) of Schedule B1 to the Insolvency Act 1986 (including that provision as applied by paragraph 44 of that Schedule)”,

(d) in paragraph (5) for “a petition” substitute “an application”, and

(e) after paragraph (5) insert—

“(5A) A reference in paragraph (5) to an application for an administration order shall be treated as including a reference to—

(a) appointing an administrator under paragraph 44 or 22 of Schedule B1 to the Insolvency Act 1986, or

(b) filing with the court a notice of intention to appoint an administrator under either of those paragraphs,

and a reference to “an administration order” shall include the appointment of an administrator under paragraph 14 or 22 of Schedule B1 to the Insolvency Act 1986.”.

63. In regulation 7 (limitation on disapplication of section 10(1)(b) and 11(3)(c) of Insolvency Act 1986 in relation to system-charges granted by a system-beneficiary)—

(a) for the sub-heading to that regulation substitute—

“Limitation on disapplication of moratorium on certain legal processes under Schedule B1 to the Insolvency Act 1986 (administration) in relation to system-charges granted by a system-beneficiary”,

⁽¹³⁾ S.I. 1995/2869.

⁽¹⁴⁾ S.I. 1996/1469.

- (b) after paragraph (1) insert—

“(1A) A reference in paragraph (1) to “an administration order” shall include the appointment of an administrator under paragraph 14 or 22 of Schedule B1 to the Insolvency Act 1986”, and

- (c) in paragraph (2) for “The disapplication of section 10(1)(b) and 11(3)(c) of the Insolvency Act 1986” substitute “The disapplication of paragraph 43(2) of Schedule B1 to the Insolvency Act 1986 (including that provision as applied by paragraph 44 of that Schedule)”.

64. In regulation 8 (ability of administrator or receiver to recover assets in case of property subject to system-charge)—

- (a) after paragraph (1) insert—

“(1A) A reference in paragraph (1) to “an administration order” shall include the appointment of an administrator under paragraph 14 or 22 of Schedule B1 to the Insolvency Act 1986.”,

- (b) in paragraph (2) for “The disapplication, by section 175(1)(b) and (3) of the Act, of sections 15(1) and (2), 43 and 61 of the Insolvency Act 1986 shall cease to have effect” substitute—

“The disapplication—

(a) by section 175(1)(b) of the Act, of paragraphs 70, 71 and 72 of Schedule B1 to the Insolvency Act 1986, and

(b) by section 175(3) of the Act, of sections 43 and 61 of the 1986 Act,
shall cease to have effect”, and

- (c) in paragraph (7) for “administration order is made” substitute “company enters administration”.

THE LANDFILL TAX REGULATIONS 1996

65. The Landfill Tax Regulations 1996(15) shall be amended as follows.

66. In regulation 9(4) (bankruptcy or incapacity of registrable persons) for “to an administration order being made in relation to it” substitute “entering administration”.

67. In regulation 47 (no set-off where insolvency procedure applied)—

- (a) in paragraph (2)(a) omit “administration order” and after “that person” insert “or that person enters administration”, and

- (b) in paragraph (3)—

(i) in sub-paragraph (a) omit “administration order” and after “sequestration” insert “or that person entering administration”, and

(ii) in sub-paragraph (b)(i) for the words “the discharge of an administration order made in relation to that person” substitute “the appointment of the administrator ceasing to have effect”.

THE INSOLVENT COMPANIES (REPORT ON CONDUCT OF DIRECTORS) RULES 1996

68. The Insolvent Companies (Reports on Conduct of Directors) Rules 1996(16) shall be amended as follows.

69. In Rule 3(1)(c) (reports required under section 7(3) of the Act) omit “in relation to which the court makes an administration order” and substitute “which enters administration”.

(15) S.I. 1996/1527.

(16) S.I. 1996/1909.

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70. In Rule 4(4)(d) (return by office-holder) for “of the administration order made in relation to the company” substitute “that the company enters administration”.

THE PRODUCER RESPONSIBILITY OBLIGATIONS
(PACKAGING WASTE) REGULATIONS 1997

71. In Part III of Schedule 9 to the Producer Responsibility Obligations (Packaging Waste) Regulations 1997(**17**) (incapacity) in paragraph 21 omit the words “to an administration order being made in relation to it” and substitute “entering administration”.

THE TEACHERS' PENSIONS REGULATIONS 1997

72. In regulation B3A(6)(b)(ii) of the Teachers' Regulations 1997(**18**) (employment in accepted school) for “a petition for an administration order has been presented, or an administration order made under Part II of” substitute “an administration application has been made or a notice of intention to appoint an administrator has been filed with the court or an administrator has been appointed under Schedule B1 to”.

THE INDIVIDUAL SAVINGS ACCOUNT REGULATIONS 1998

73. In regulation 20(1)(d)(iii) of the Individual Savings Account Regulations 1998(**19**) (account manager ceasing to qualify) for “an administration order is made in relation to it” substitute “it enters administration”.

THE FINANCIAL MARKETS AND INSOLVENCY
(SETTLEMENT FINALITY) REGULATIONS 1999

74. The Financial Markets and Insolvency (Settlement Finality) Regulations 1999(**20**) shall be amended as follows.

75. In regulation 14 (proceedings of designated system take precedence over insolvency proceedings)—

- (a) in paragraph (5)—
 - (i) in sub-paragraph (a)(ii) for “one in relation to which an administration order is made” substitute “in administration”, and
 - (ii) for “section 19(4) of the Insolvency Act 1986, section 40 (or, in Scotland, section 59 and 60(1)(e)) of that Act” substitute “section 40 (or, in Scotland, section 59 and 60(1)(e)) of the Insolvency Act 1986, paragraph 99(3) of Schedule B1 to that Act”, and
- (b) in paragraph (6)(a) for “section 19(4) of that Act” substitute “paragraph 99(3) of Schedule B1 to that Act”.

76. In regulation 19 (administration orders &c)—

- (a) in paragraph (1)—
 - (i) after “The following provisions of” insert “Schedule B1 to”,
 - (ii) for sub-paragraphs (a) and (b) substitute—
 - “(a) paragraph 43(2) including that provision as applied by paragraph 44; and
 - (b) paragraphs 70, 71 and 72 of that Schedule.”, and
 - (iii) for “section 11(2) of that Act” substitute “paragraph 41(2) of that Schedule”, and
- (b) after paragraph (2) insert—

(17) S.I. 1997/648.
(18) S.I. 1997/3001.
(19) S.I. 1998/1870.
(20) S.I. 1999/2979.

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“(2A) A reference in paragraph (2) to “an administration order” shall include the appointment of an administrator under paragraph 14 or 22 of Schedule B1 to the Insolvency Act 1986.”.

THE ELECTRICITY FROM NON-FOSSIL FUEL
SOURCES SAVING ARRANGEMENTS ORDER 2000

77. In Article 7(1)(b) of the Electricity from Non-Fossil Fuel Sources Saving Arrangements Order 2000(**21**) (replacement supply successor companies) omit “an administration order or” and after “the Company” insert “or the Company enters administration”.

THE GENERAL INSURANCE RESERVES (TAX) REGULATIONS 2001

78. In regulation 6(b) of the General Insurance Reserves (Tax) Regulations 2001(**22**) (excluded descriptions of general insurer) omit “section 8 of the Act or” and at the end add “or a company which is in administration within the meaning of Schedule B1 to the Act”.

THE STATUTORY PATERNITY PAY AND STATUTORY
ADOPTION PAY (GENERAL) REGULATIONS 2002

79. In regulation 43(3) of the Statutory Paternity Pay and Statutory Adoption Pay (General) Regulations 2002(**23**) (liability of the Board to pay statutory paternity pay or statutory adoption pay)

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- (a) in sub-paragraph (a)(iii) omit “or an administration order” and after “respect to it” insert “or it enters administration”, and
 - (b) in sub-paragraph (b)(iii) delete “or an administration order” and after “with respect to it” insert “or it enters administration”.

THE LAND REGISTRATION RULES 2003

80. In Rule 184 of the Land Registration Rules 2003(**24**) (administration orders and liquidation of a company)—

- (a) in paragraph (1), for the words “is the subject of an administration order made” substitute “enters administration”, and
- (b) in paragraph (2), after the words “the order” in each place that it occurs insert “or the notice of appointment”.

(21) S.I. [2000/2727](#).

(22) S.I. [2001/1757](#).

(23) S.I. [2002/2822](#).

(24) S.I. [2003/1417](#).