
STATUTORY INSTRUMENTS

2003 No. 2332

The Enterprise Act 2002 (Transitional Provisions) (Insolvency) Order 2003

Amendments to Article 4 of the Enterprise Act 2002 (Commencement No. 4 and Transitional Provisions and Savings) Order 2003

2.—(1) Article 4 of the Enterprise Act 2002 (Commencement No. 4 and Transitional Provisions and Savings) Order 2003⁽¹⁾ is amended as follows.

(2) After paragraph (1) there is inserted—

“(1A) This article also applies to a case where—

- (a) an administration order under Part II of the Insolvency Act 1986 is made on a petition presented prior to the first commencement date;
- (b) that order is discharged; and
- (c) immediately on the discharge of that order—
 - (i) a winding-up order is made in respect of the company in question; or
 - (ii) a resolution for the winding up of the company is passed, on or after the first commencement date.

(1B) This article also applies to a case where—

- (a) a winding-up order is made on a petition presented prior to the first commencement date; and
- (b) the company in question enters administration by virtue of an order made under paragraphs 37 or 38 of Schedule B1 to the Insolvency Act 1986⁽²⁾.

(1C) This article also applies to a case where—

- (a) a resolution for the winding up of a company is passed before the first commencement date; and
- (b) the company enters administration by virtue of an order made under paragraph 38 of Schedule B1 to the Insolvency Act 1986.

(1D) This article also applies to a case where—

- (a) a receiver is appointed before the first commencement date in respect of a company;
- (b) the receiver vacates office; and
- (c) the company in respect of which the receiver is appointed enters administration within the meaning of paragraph 1(2)(b) of Schedule B1 to the Insolvency Act 1986 during the period that the receiver is in office or immediately after the end of that period.”

(1) S.I.2003/2093 (C. 85).

(2) Schedule B1 is inserted into the Insolvency Act 1986 (c. 45) by section 248 of, and Schedule 16 to the Enterprise Act 2002.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
