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STATUTORY INSTRUMENTS

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**2014 No. 229**

**INDUSTRIAL AND PROVIDENT SOCIETIES  
CREDIT UNIONS**

The Industrial and Provident Societies  
and Credit Unions (Arrangements,  
Reconstructions and Administration) Order 2014

*Made* - - - - *4th February 2014*  
*Laid before Parliament* *7th February 2014*  
*Coming into force* *6th April 2014*

**THE INDUSTRIAL AND PROVIDENT SOCIETIES  
AND CREDIT UNIONS (ARRANGEMENTS,  
RECONSTRUCTIONS AND ADMINISTRATION) ORDER 2014**

1. Citation, commencement and interpretation
  2. Application to relevant societies of law about company arrangements and administration
  3. Application of section 176A of the 1986 Act
  4. Application of other provisions of the 1986 Act
  5. Application of section 215 of FSMA
  6. Application of section 356 of FSMA
  7. Application of section 359 of FSMA
  8. Application of section 361 of FSMA
  9. Application of sections 362 and 362A of FSMA
  10. Application of provisions of FSMA: general provision
  11. Application of insolvency rules
  12. Application of other subordinate legislation
  13. Modified application of section 50 of the 1965 Act
  14. Modified application of section 51 of the 1965 Act
  15. Modified application of section 52 of the 1965 Act
  16. Modified application of section 59 of the 1965 Act
  17. Amendment of the 1965 Act
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SCHEDULE 1 — Modified application of Parts 1 and 2 of the Insolvency Act 1986 to relevant societies

PART 1 — General modifications

1. Unless the context otherwise requires and subject to any further...

PART 2 — Modified application of Part 1 of the Insolvency Act 1986 to relevant societies (further modifications)

2. Part 1 of the 1986 Act applies in relation to...  
 3. Part 1 (company voluntary arrangements)  
 4. Section 3 of the 1986 Act (summoning of meetings) has...  
 5. Section 7A of the 1986 Act (prosecution of delinquent officers...  
 6. Schedule A1 (moratorium where directors propose voluntary arrangement)  
 7. Schedule A1 to the 1986 Act has effect as if...  
 8. Schedule A1 to the 1986 Act has effect as if—...

PART 3 — Modified application of Part 2 of the Insolvency Act 1986 to relevant societies (further modifications)

9. Part 2 of the 1986 Act applies in relation to...  
 10. In this Part— (a) a reference to a numbered paragraph...  
 11. Nature of administration  
 12. Appointment of administrator by court  
 13. Appointment of administrator by holder of floating charge  
 14. Paragraph 15 (restrictions on power to appoint) has effect as...  
 15. Effect of administration  
 16. In paragraph 45 (publicity) sub-paragraph (3) has effect as if...  
 17. Paragraph 46 (announcement of administrator's appointment) has effect as if...  
 18. Process of administration  
 19. Paragraph 51 (requirement for initial creditors' meeting) has effect as...  
 20. Paragraph 52 (requirement for initial creditors' meeting) has effect as...  
 21. In paragraph 53 (business and result of initial creditors' meeting),...  
 22. Paragraph 54 (revision of administrator's proposals) has effect as if—...  
 23. In paragraph 55 (failure to obtain approval of administrator's proposals)...  
 24. Paragraph 56 (further creditors' meetings) has effect as if—  
 25. In paragraph 58 (correspondence instead of creditors' meeting)—  
 26. Functions of administrator  
 27. Paragraph 61 (removal and appointment of director) has effect as...  
 28. In paragraph 64 (exercise of management power), in sub-paragraph (2)(b)...  
 29. In paragraph 65 (distribution) sub-paragraph (1) has effect as if...  
 30. Ending administration  
 31. In paragraph 84 (moving from administration to dissolution) sub-paragraph (5)...  
 32. Replacing administrator  
 33. Paragraph 96 (substitution of administrator: competing floating charge-holder) has effect...  
 34. General

PART 4 — Modified application of Schedule 1 to the Insolvency Act 1986 to relevant societies (further modifications)

35. Schedule 1 to the 1986 Act applies in relation to...  
 36. This Part has effect without limiting paragraph 26 of this...  
 37. In this Part— (a) a reference to a numbered paragraph...  
 38. Paragraph 3 (power to borrow) has effect as if it...  
 39. Paragraphs 15 (power to establish subsidiaries) and 16 (power to...

40. Paragraph 16 has effect in relation to a relevant society...

SCHEDULE 2 — Modified application of Part 26 of the Companies Act 2006 to relevant societies

1. Unless the context otherwise requires and subject to any further...
2. Part 26 of the 2006 Act applies in relation to...
3. In section 895 (application of Part 26) subsection (2) has...
4. In section 899 (court sanction for compromise or arrangement)—
5. Section 900 (powers of court to facilitate reconstruction or amalgamation)...
6. Section 901 (obligations of company with respect to articles etc.)...
7. Where a copy of any order or other document is...
8. In paragraph 7— “PRA-authorized person” has the meaning given in...

SCHEDULE 3 — Modified application of other provisions of the Insolvency Act 1986

1. Interpretation
2. Modification of provisions applied by article 4
3. Miscellaneous provisions applying to companies which are insolvent
4. Interpretation for first group of Parts
5. Insolvency practitioners and their qualification
6. Punishment of offences
7. Schedule 10 to the 1986 Act (punishment of offences under...

SCHEDULE 4 — Modified application of insolvency rules in relation to relevant societies

PART 1 — Interpretation

1. In this Schedule— “applied provisions”— in Part 2, means the...
2. In this Schedule— (a) a reference to the FCA is...

PART 2 — Modified application of the Insolvency Rules 1986

3. This Part modifies the Parts of the Insolvency Rules 1986...
4. Unless the context otherwise requires and subject to any further...
5. The applied provisions have effect as if they provided that...
6. The applied provisions have effect with the further modifications set...
7. Proposal by directors for company voluntary arrangement
8. Consideration of proposals where moratorium obtained
9. Appointment of administrator by holder of floating charge
10. Process of administration
11. Rule 2.31 (release from duty to submit statement of affairs;...
12. Meetings and reports
13. Rule 2.35 has effect as if— (a) paragraph (3) required...
14. Rule 2.37 (meeting requisitioned by creditors) has effect as if...
15. Rule 2.43 has effect as if— (a) in paragraph (1)...
16. In Rule 2.45 (revision of the administrator’s proposals)—
17. In Rule 2.47 (reports to creditors), in paragraphs (1)(g) and...
18. In Rule 2.48 (correspondence instead of creditors’ meetings)—
19. Rule 2.49 (venue and conduct of company meeting) has effect...
20. Distributions to creditors
21. Rule 2.69 (debts of insolvent society to rank equally) has...
22. Rule 2.85 (mutual credits and set off) has effect as...
23. Rule 2.95 (notice of proposed distribution) has effect as if—...
24. In Rule 2.97 (declaration of dividend) member-depositors are to be...
25. Rule 2.98 (notice of declaration of dividend) has effect as...
26. In Rule 2.99 (payment of dividends and related matters), in...
27. Rule 2.100 (notice of no dividend, or no further dividend)...

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

28. Rule 2.103 (disqualification from dividend) has effect as if it...
29. Ending administration
30. In Rule 2.113 (notice of end of administration), in paragraphs...
31. Replacing administrator
32. (1) Rule 2.122 (application to court to remove administrator from...
33. Quorum at meetings
34. Forms
35. "Prescribed part"
  - PART 3 — Modified application of the Insolvency (Scotland) Rules 1986
36. This Part modifies the Parts of the Insolvency (Scotland) Rules...
37. Unless the context otherwise requires and subject to any further...
38. The applied provisions have effect with the further modifications set...
39. Proposal by directors for company voluntary arrangement
40. Consideration of proposals where moratorium obtained
41. Appointment of administrator by holder of floating charge
42. Process of administration
43. Rule 2.23 (release from duty to submit statement of affairs;...
44. Meetings
45. Rule 2.27 has effect as if in paragraph (3) the...
46. In Rule 2.28— (a) in paragraphs (3), (4) and (10),...
47. In Rule 2.29 (applicable law (company meetings)) ignore paragraph (a)....
48. In Rule 2.34 (revision of the administrator's proposals)—
49. In Rule 2.35, in paragraph (1)(a), in the case of...
50. Distributions to creditors
51. Rule 2.41 (distributions to creditors) has effect in relation to...
52. Ending administration
53. Replacing administrator
54. (1) Rule 2.53 (application to replace administrator) and Rule 2.56...
55. Quorum at meetings
56. Rule 7.7 (quorum) has effect in relation to a relevant...
57. Rule 7.12 (resolutions) has effect in relation to a meeting...
58. Forms

#### SCHEDULE 5 — Application of other subordinate legislation with modifications

1. Application of the Insolvency Act 1986 (Prescribed Part) Order 2003
2. Modified application of the Pension Protection Fund (Entry Rules) Regulations 2005
3. Modified application of the Financial Services and Markets Act 2000 (Administration Orders Relating to Insurers) Order 2010

Explanatory Note