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STATUTORY INSTRUMENTS

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**2024 No. 205**

The Water Industry (Special Administration) Regulations 2024

PART 2

Application of the Insolvency Act 1986 to special administration

**Application, disapplication and modification**

5.—(1) The provisions of the 1986 Act mentioned in tables 1 and 2 apply in relation to special administration<sup>(1)</sup> as they apply in relation to administration but with the modifications set out in Parts 3 and 4 of these Regulations.

**Table 1**

**Schedule B1 to the 1986 Act**

<i>Paragraphs</i>	<i>Description</i>
1	Interpretation
4 to 6	Administrator's duties, status and qualifications
13	Powers of court
40 to 49	Effect of administration
54	Revision of administrator's proposals
59 to 75	Administrators: powers, duties, agency, property, challenge, misfeasance
79	Ending administration
83 to 91	Moving to other insolvency procedures, discharge and replacement
95	Appointment of replacement administrator by the court
98 to 104	Discharge of administrator's liability, general provisions
106	Penalties
107	Extension of time limits
109 to 111	Provisions about time and interpretation

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(1) See section 23(3A) and (3B) of the Water Industry Act 1991 (c. 56).

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*Status: This is the original version (as it was originally made).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

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**Table 2****Other provisions of the 1986 Act**

<i>Provisions</i>	<i>Description</i>
section A16	Company enters into insolvency procedure etc
section A43	Challenges to monitor remuneration in insolvency proceedings
sections 1 to 7B	Company voluntary arrangements
section 72A	Floating charge holder not to appoint administrative receiver
section 133	Public examination of officers
section 140	Court appointment after administration or voluntary arrangement
section 214	Wrongful trading
sections 233 to 237	Management by administrators, liquidators etc
sections 238 to 241	Transactions at an undervalue and preferences
section 244	Extortionate credit transactions
section 245	Avoidance of certain floating charges
section 246	Unenforceability of liens on books etc
sections 246ZA to 246ZC	Fraudulent and wrongful trading
section 246ZD	Power to assign certain causes of action
sections 246A to 246C	Remote meetings, use of websites, creditors' opt-out of notices
section 411	Power to make insolvency rules
section 413	Insolvency Rules Committee
section 424	Those who may apply for an order under section 423
section 426	Cooperation between courts exercising insolvency law jurisdiction
Schedule ZA1, paragraph 2	Moratorium: eligible companies
Schedule 1	Powers of administrator or administrative receiver
Schedule 8	Provisions capable of inclusion in company insolvency rules
Schedule 10	Punishment of offences under the 1986 Act

(2) The provisions of Schedule B1 to the 1986 Act that are not mentioned in table 1 do not apply to special administration<sup>(2)</sup>.

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(2) Section 23(3) of the Water Industry Act 1991 (as substituted by paragraph 6 of Schedule 5 to the Flood and Water Management Act 2010) applies to special administration the provisions of Schedule B1 to the Insolvency Act 1986. Section 23(3A) of that Act confers on the Secretary of State a power to make regulations that disapply those provisions.