

Status: Point in time view as at 01/08/2016.

Changes to legislation: There are currently no known outstanding effects for the Insolvency Act 1985, SCHEDULE 8. (See end of Document for details)

SCHEDULES

SCHEDULE 8

Section 235.

CONSEQUENTIAL AMENDMENTS

The^{M1} Bills of Sale Act (1878) Amendment Act 1882

Marginal Citations

M1 1882 c. 43.

- 1 In section 11 of the Bills of Sale Act (1878) Amendment Act 1882 (local registration of bills of sale), for the words “the London bankruptcy district as defined by the Bankruptcy Act 1869” and the words “the said London bankruptcy district” there shall be substituted, in each case, the words “the London insolvency district”.

The^{M2} Deeds of Arrangement Act 1914

Marginal Citations

M2 1914 c. 47.

- ^{F1}2

Textual Amendments

F1 Sch. 8 para. 2 omitted (1.10.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(7), [Sch. 6 para. 2\(10\)](#) (with [Sch. 6 para. 3](#)); S.I. 2015/1732, art. 2(e)(i)

The^{M3} Settled Land Act 1925

Marginal Citations

M3 1925 c. 18.

- 3 In section 103 of the Settled Land Act 1925 (legal estate in settled land not to vest in trustee in bankruptcy of estate owner), for the words from the beginning to “an” there shall be substituted the words “For the purposes of determining, where the estate owner of any settled land is bankrupt, whether the legal estate in the settled land is comprised in, or is capable of being claimed for, the bankrupt’s estate, the legal estate in the settled land shall be deemed not to vest in the”.

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The ^{M4}Law of Property Act 1925

Marginal Citations

M4 1925 c. 20.

- 4 In section 52(2)(b) of the Law of Property Act 1925 (exceptions from requirement that conveyances are to be by deed), for the words “section fifty-four of the ^{M5}Bankruptcy Act 1914” there shall be substituted the words “section 91 or 161 of the Insolvency Act 1985”.

Marginal Citations

M5 1914 c. 59.

The ^{M6}Land Registration Act 1925

Marginal Citations

M6 1925 c. 21.

F25

Textual Amendments

F2 Sch. 8 para. 5 repealed (13.10.2003) by [Land Registration Act 2002 \(c. 9\)](#), s. 136(2), **Sch. 13** (with s. 129, Sch. 12 para. 1); S.I. 2003/1725, art. 2(1)

The ^{M7}Agricultural Credits Act 1928

Marginal Citations

M7 1928 c. 43.

- 6 In section 7 of the Agricultural Credits Act 1928 (effect of floating charge), in paragraph (a)(i) of the proviso, for the words “receiving order in bankruptcy” there shall be substituted the words “bankruptcy order”.

F3 ...

Textual Amendments

F3 Sch. 8 para. 7 crossheading repealed (1.8.2016) by [Third Parties \(Rights against Insurers\) Act 2010 \(c. 10\)](#), s. 21(2), **Sch. 4**; S.I. 2016/550, art. 2

F47

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Textual Amendments

F4 Sch. 8 para. 7 repealed (1.8.2016) by [Third Parties \(Rights against Insurers\) Act 2010 \(c. 10\), s. 21\(2\), Sch. 4; S.I. 2016/550, art. 2](#)

8 **F5**

Textual Amendments

F5 Sch. 8 para. 8 repealed by [Finance Act 1987 \(c. 16, SIF 99:6\), s. 72, Sch. 16 Pt. XI](#)

9 **F6**

Textual Amendments

F6 Sch. 8 paras. 9, 30 repealed by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\), ss. 99\(1\), 101\(1\), Sch. 13 para. 3, Sch. 15 Pt. I](#)

The ^{M8}Arbitration Act 1950

Marginal Citations

M8 1950 c. 27.

F710

Textual Amendments

F7 Sch. 8 para. 10 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\), Sch. 1 Pt. 17](#) Group 6

The ^{M9}Administration of Justice Act 1956

Marginal Citations

M9 1956 c. 46.

11 In section 40 of the Administration of Justice Act 1956 (effect of registration of judgments of courts outside England and Wales)—
(a) the words “the Bankruptcy Act 1914” shall be omitted; and
(b) for the words “those Acts” there shall be substituted the words “the said Act of 1869”.

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The ^{M10}Licensing Act 1964

Marginal Citations

M10 1964 c. 26.

^{F8}12

Textual Amendments

F8 Sch. 8 para. 12 repealed (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), s. 201(2), **Sch. 7** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4)

The ^{M11}Law of Property (Joint Tenants) Act 1964

Marginal Citations

M11 1964 c. 63.

13 In paragraph (b) of the proviso to section 1(1) of the Law of Property (Joint Tenants) Act 1964 (assumptions on sale of land by survivor of joint tenants), for the words “a receiving order in bankruptcy” there shall be substituted the words “a bankruptcy order”.

The ^{M12}General Rate Act 1967

Marginal Citations

M12 1967 c. 9.

^{F9}14

Textual Amendments

F9 Sch. 8 para. 14 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 17** Group 6

The ^{M13}Medicines Act 1968

Marginal Citations

M13 1968 c. 67.

15 In section 72(4) of the Medicines Act 1968 (which specifies the persons who may carry on the business of a pharmacist in the case of his death or disability), at the end there shall be inserted the words—

“; and in paragraph (b) above the reference to a trustee appointed under a composition, scheme or deed of arrangement includes a reference to the

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supervisor of a composition or scheme proposed for the purposes of, and approved under, Chapter I of Part III of the Insolvency Act 1985.”

The ^{M14}Transport Act 1968

Marginal Citations

M14 1968 c. 73.

F10 16

Textual Amendments

F10 Sch. 8 para. 16 repealed (1.1.1996) by 1994 c. 40, s. 81, **Sch. 17**; S.I. 1995/2835, **art. 2** (with **Sch.**) and expressed to be repealed (1.1.1996) by 1995 c. 23, s. 60(2), **Sch. 8 Pt. I** (with ss. 54, 55); S.I. 1995/2181, **art. 2** (with **Sch.**)

The ^{M15}Insolvency Services (Accounting and Investment) Act 1970

Marginal Citations

M15 1970 c. 8.

F11 17

Textual Amendments

F11 Sch. 8 para. 17 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 17** Group 6

The ^{M16}Conveyancing and Feudal Reform (Scotland) Act 1970

Marginal Citations

M16 1970 c. 35.

18 In schedule 3 to the Conveyancing and Feudal Reform (Scotland) Act 1970 (the standard conditions of a security), in standard condition 9(2)(b), for the words from “or an order” to “1925” there shall be substituted the words “or his estate falls to be administered in accordance with an order under section 228 of the Insolvency Act 1985”.

The ^{M17}Superannuation Act 1972

Marginal Citations

M17 1972 c. 11.

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- 19 In section 5(2) of the Superannuation Act 1972 (rule that benefit is unassignable not to affect powers of court under section 51(2) of the ^{M18}Bankruptcy Act 1914)—
- (a) for the words “section 51(2) of the Bankruptcy Act 1914” there shall be substituted the words “section 156 of the Insolvency Act 1985”; and
 - (b) for the words “the said section 51(2)” there shall be substituted the words “section 51(2) of the Bankruptcy Act 1914 or the said section 156”.

Marginal Citations

M18 1914 c. 59.

The ^{M19}Road Traffic Act 1972

Marginal Citations

M19 1972 c. 20.

^{F12}20

Textual Amendments

F12 Sch. 8 para. 20 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 17** Group 6

The ^{M20}Land Charges Act 1972

Marginal Citations

M20 1972 c. 61.

- 21 (1) The Land Charges Act 1972 shall be amended as follows.
- (2) In section 5(8) (unregistered bankruptcy petition not to bind purchaser in good faith, for money or money’s worth without notice of an available act of bankruptcy) the words “without notice of an available act of bankruptcy” shall be omitted.
 - (3) In section 6 (the register of writs and orders affecting land)—
 - (a) for paragraph (c) of subsection (1) there shall be substituted the following paragraph—

“(c) any bankruptcy order, whether or not the bankrupt’s estate is known to include land.”;
 - (b) in subsection (3), for the words “receiving order in bankruptcy” there shall be substituted the words “bankruptcy order”;
 - (c) for subsection (5) there shall be substituted the following subsection—

“(5) Subject to subsection (6) below, the title of a trustee in bankruptcy shall be void as against a purchaser of a legal estate in good faith for money or money’s worth unless the bankruptcy order is for the time being registered under this section.”; and

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- (d) in subsection (6), the words “without notice of an available act of bankruptcy” shall be omitted.
- (4) In section 16(2) (general rules)—
- (a) for the words “general rules under section 132 of the ^{M21}Bankruptcy Act 1914 for carrying into effect the objects of that Act” there shall be substituted the words “rules under section 207 of the Insolvency Act 1985”;
 - (b) for the words “a receiving order in bankruptcy” there shall be substituted the words “a bankruptcy order”; and
 - (c) for the words “by that Act” there shall be substituted the words “by Part III of that Act”.

Marginal Citations

M21 1914 c. 59.

The ^{M22}Local Government Act 1972

Marginal Citations

M22 1972 c. 70.

^{F13}22

Textual Amendments

F13 Sch. 8 para. 22 repealed (1.4.2004) by [Enterprise Act 2002 \(c. 40\)](#), s. 279, [Sch. 26](#); [S.I. 2003/2093](#), art. 2(2), [Sch. 2](#)

The ^{M23}Matrimonial Causes Act 1973

Marginal Citations

M23 1973 c. 18.

23 In section 39 of the Matrimonial Causes Act 1973 (settlement etc. made in compliance with a property adjustment order may be avoided on bankruptcy of settlor), for the words from “a settlement of” onwards there shall be substituted the words “a transaction in respect of which an order may be made under section 174 of the Insolvency Act 1985 (transactions at an undervalue and preferences)”.

24 ^{F14}

Textual Amendments

F14 Sch. 8 para. 24 repealed by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), ss. 123, 170, [Sch. 8 para. 16](#), [Sch. 16](#)

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The ^{M24}Solicitors Act 1974

Marginal Citations

M24 1974 c. 47.

^{F15}25

Textual Amendments

F15 Sch. 8 para. 25 repealed (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), s. 211(2), **Sch. 23** (with ss. 29, 192, 193); S.I. 2009/3250, art. 2(i)(v)

The ^{M25}Social Security Pensions Act 1975

Marginal Citations

M25 1975 c. 60.

^{F16}26

Textual Amendments

F16 Sch. 8 para. 26 repealed (7.2.1994) by [1993 c. 48](#), s. 188(1)(3), **Sch. 5 Pt.I**; S.I. 1994/86, **art. 2**

The ^{M26}Recess Elections Act 1975

Marginal Citations

M26 1975 c. 66.

27 In section 1(2) of the Recess Elections Act 1975 (which defines certain expressions used in that Act), in the definition of “certificate of vacancy” for the words from “the relevant bankruptcy enactment” to the end of paragraph (b) there shall be substituted the words “section 214(6)(a) of the Insolvency Act 1985”.

The ^{M27}Insolvency Act 1976

Marginal Citations

M27 1976 c. 60.

^{F17}28

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Textual Amendments

F17 Sch. 8 para. 28 repealed (5.11.1993) by 1993 c.50, s. 1(1), **Sch. 1 Pt I**, Group I

The^{M28} Land Drainage Act 1976

Marginal Citations

M28 1976 c. 70.

F18²⁹

Textual Amendments

F18 Sch. 8 para. 29 repealed (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 3(1), 4(2), **Sch. 3 Pt.1** (with Sch. 2 paras. 10, 14(1), 15).

30 **F19**

Textual Amendments

F19 Sch. 8 paras. 9, 30 repealed by Agricultural Holdings Act 1986 (c. 5, SIF 2:3), ss. 99(1), 101(1), Sch. 13 para. 3, **Sch. 15 Pt. I**

The^{M29} Employment Protection (Consolidation) Act 1978

Marginal Citations

M29 1978 c. 44.

31 **F20**(1)

F20(2)

F21(3)

(4) **F22**

F20(5)

Textual Amendments

F20 Sch. 8 para. 31(1)(2)(5) repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

F21 Sch. 8 para. 31(3) repealed (7.2.1994) by 1993 c. 48, s. 188(1)(3), **Sch. 5 Pt. I**; S.I. 1994/86, **art. 2**

F22 Sch. 8 para. 31(4) repealed by Employment Act 1989 (c. 38, SIF 43:1), s. 29(4), **Sch. 7 Pt. II**

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The Banking Act 1979

F23 32

Textual Amendments

F23 Sch. 8 para. 32 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 17** Group 6

The ^{M30}Estate Agents Act 1979

Marginal Citations

M30 1979 c. 38.

33 In section 23(2) of the Estate Agents Act 1979 (prohibition on bankrupts engaging in estate agency work to cease on discharge), for paragraph (b) there shall be substituted the following paragraph—

“(b) he is discharged from bankruptcy.”

The ^{M31}Public Passenger Vehicles Act 1981

Marginal Citations

M31 1981 c. 14.

34 In section 19(3) of the Public Passenger Vehicles Act 1981 (holder of PSV operator’s licence to give notice of bankruptcy etc.), after the word “estate” there shall be inserted the words “or the making of an administration order under Chapter III of Part II of the Insolvency Act 1985 in relation to the holder”.

The ^{M32}[^{F24}Senior Courts Act 1981]

Textual Amendments

F24 Words in Act substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), **Sch. 11 para. 1(2)**; S.I. 2009/1604, art. 2(d)

Marginal Citations

M32 1981 c. 54.

F25 35

Textual Amendments

F25 Sch. 8 para. 35 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 17** Group 6

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The ^{M33}Civil Jurisdiction and Judgments Act 1982

Marginal Citations

M33 1982 c. 27.

36 After paragraph (b) of section 18(3) of the Civil Jurisdiction and Judgments Act 1982 (judgments to which provisions relating to the enforcement of judgments within the United Kingdom do not apply), there shall be inserted the following paragraph—

“(ba) a judgment given in the exercise of jurisdiction in relation to insolvency law, within the meaning of section 213 of the Insolvency Act 1985;”.

The ^{M34}Insurance Companies Act 1982

Marginal Citations

M34 1982 c. 50.

37 (1) The Insurance Companies Act 1982 shall be amended as follows.

^{F26}(2)

(3) In section 56 (continuation of long term business of insurance companies in liquidation)—

- (a) in subsection (4), for the words “Section 556(3) of the Companies Act” and for the words “section 556 of the Companies Act” there shall be substituted, respectively, the words “Section 90(5) of the Insolvency Act 1985” and the words “section 90 of the said Act of 1985”;
- (b) in subsection (7), for the words “committee of inspection” there shall be substituted the words “a specified committee”.

(4) In section 59 (winding-up rules)—

- (a) in subsection (1), for the words “section 663 of the Companies Act” there shall be substituted the words “section 106 of the Insolvency Act 1985”; and
- (b) in subsection (2), for the words “section 663 of the Companies Act” and the words “section 614 of, and schedule 19 to, the Companies Act” there shall be substituted, respectively, the words “section 106 of the Insolvency Act 1985” and the words “section 89 of, and schedule 4 to, the Insolvency Act 1985”.

Textual Amendments

F26 Sch. 8 para. 37(2) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 17](#) Group 6

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The ^{M35}County Courts Act 1984

Marginal Citations

M35 1984 c. 28.

38 (1) The County Courts Act 1984 shall be amended as follows.

^{F27}(2)

^{F27}(3)

^{F28}(4)

Textual Amendments

F27 Sch. 8 para. 38(2)(3) repealed by 1993 c. 50, s. 1(1), **Sch. 1 Pt. I**, Group I

F28 Sch. 8 para. 38(4) repealed (22.7.2004) by **Statute Law (Repeals) Act 2004 (c. 14)**, **Sch. 1 Pt. 17** Group 6

The Housing Act 1985

39 (1) The Housing Act 1985 shall be amended as follows.

(2) In paragraph 3(4) of schedule 18 (suspension of condition as to residence), for the words “is administered in bankruptcy under section 130 of the Bankruptcy Act 1914” there shall be substituted the words “falls to be administered in accordance with an order under section 228 of the Insolvency Act 1985”.

(3) In paragraph 5(3) of that schedule (conditions affecting house purchased by means of advance), for the words “being administered in bankruptcy under section 130 of the Bankruptcy Act 1914” there shall be substituted the words “falling to be administered in accordance with an order under section 228 of the Insolvency Act 1985”.

The ^{M36}Administration of Justice Act 1985

Marginal Citations

M36 1985 c. 61.

40 In section 16(1)(g) of the Administration of Justice Act 1985 (conditional licences), for the words “and having obtained his discharge” there shall be substituted the words “and discharged”.

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