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## SCHEDULES

### SCHEDULE 9

#### TRANSITIONAL PROVISIONS AND SAVINGS

#### PART III

##### INDIVIDUAL INSOLVENCY

###### *Bankruptcy: general*

- 11 (1) Subject to the following provisions of this Part of this Schedule, the provisions of Part III of this Act shall not apply in relation to any case in which a petition in bankruptcy was presented, or a receiving order or adjudication in bankruptcy was made, before the bankruptcy commencement date.
- (2) In relation to any such case as is mentioned in sub-paragraph (1) above, the enactments mentioned in Schedule 8 to this Act (so far as they relate to bankruptcy) and the enactments mentioned in Parts III and IV of Schedule 10 to this Act (so far as they so relate) shall have effect without the amendments and repeals specified in those Schedules.
- (3) Where any subordinate legislation made under any enactment referred to in sub-paragraph (2) above is in force immediately before the bankruptcy commencement date, that subordinate legislation shall continue to have effect on and after that date in relation to any such case as is mentioned in sub-paragraph (1) above.
- 12 (1) In relation to any such case as is mentioned in paragraph 11(1) above the references in any enactment or subordinate legislation to a petition, order or other matter which is provided for under the Bankruptcy Act 1914 and corresponds to a petition, order or other matter provided for under Part III of this Act shall continue on and after the bankruptcy commencement date to have effect as references to the petition, order or matter provided for by the said Act of 1914; but, save as aforesaid, those references shall have effect on and after that date as references to the petition, order or matter provided for by Part III of this Act
- (2) Without prejudice to sub-paragraph (1) above, in determining for the purposes of section 126 of this Act or paragraph 14 below whether any person was an undischarged bankrupt at a time before the bankruptcy commencement date, an adjudication in bankruptcy and an annulment of a bankruptcy under the Bankruptcy Act 1914 shall be taken into account in the same way, respectively, as a bankruptcy order under Part III of this Act and the annulment under section 129 of this Act of such an order.
- 13 Transactions entered into before the bankruptcy commencement date shall have effect on and after that date as if references to acts of bankruptcy in the provisions for giving effect to those transactions continued to be references to acts of

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bankruptcy within the meaning of the Bankruptcy Act 1914, but as if such acts included failure to comply with a demand served under section 120(3) of this Act.