
STATUTORY INSTRUMENTS

1989 No. 2409

INSOLVENCY

The Insolvency Act 1986 (Guernsey) Order 1989

Made - - - - 19th December 1989

Coming into force - - 1st February 1990

Her Majesty, in pursuance of section 442 of the Insolvency Act 1986 (1), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the Insolvency Act 1986 (Guernsey) Order 1989 and shall come into force on 1st February 1990.
2. Subsections (4), (5), (10) and (11) of section 426 of the Insolvency Act 1986 (2) shall extend to the Bailiwick of Guernsey with the modifications specified in the Schedule to this Order.

G I de Deney
Clerk of the Privy Council

(1) 1986 c. 45

(2) These provisions were formerly contained in section 213 of the Insolvency Act 1985 (c. 65)

SCHEDULE

Article 2

MODIFICATIONS IN THE EXTENSION OF PROVISIONS OF THE
INSOLVENCY ACT 1986 TO THE BAILIWICK OF GUERNSEY

1. Any reference to any provision of section 426 of the Insolvency Act 1986 shall be construed as a reference to that provision as it has effect in the Bailiwick of Guernsey.

2. In subsections (4) and (5), for “United Kingdom” there shall be substituted “Bailiwick of Guernsey”.

3. For paragraphs (a), (b) and (c) of subsection (10) there shall be substituted the following paragraphs:

“(a) in relation to Guernsey:

- (i) Titres II to V of the Law entitled “Loi ayant rapport aux Debiteurs et a la Renonciation” of 1929;
- (ii) the Ordinance entitled “Ordonnance relative a la Renonciation” of 1929;
- (iii) articles LXXI to LXXXI of the Law entitled “Loi relative aux Societes Anonymes ou a Responsabilite Limitee” of 1908;
- (iv) sections 1, 3(3) and 4(2) of the Law of Property (Miscellaneous Provisions) (Guernsey) Law 1979;
- (v) the Preferred Debts (Guernsey) Law 1983;
- (vi) sections 12 and 32 to 39 of the Insurance Business (Guernsey) Law 1986;
- (vii) the rules of the customary law of Guernsey concerning persons who are unable to pay their judgment debts;
- (viii) any enactment for the time being in force in Guernsey which amends, modifies, supplements or replaces any of those rules or provisions;

(b) in relation to Alderney:

- (i) Part I of the Companies (Amendment) (Alderney) Law 1962;
- (ii) the Preferred Debts (Guernsey) Law 1983;
- (iii) sections 12, 32 to 39, 68(2) and 68(5) of the Insurance Business (Guernsey) Law 1986;
- (iv) the rules of the customary law of Alderney concerning persons who are unable to pay their judgment debts;
- (v) any enactment for the time being in force in Alderney which amends, modifies, supplements or replaces any of those rules or provisions;

(c) in relation to Sark:

- (i) the rules of the customary law of Sark concerning persons who are unable to pay their judgment debts;
- (ii) any enactment for the time being in force in Sark which amends, modifies, supplements or replaces any of those rules;”.

4. For paragraphs (a) and (b) of subsection (11) there shall be substituted “the United Kingdom, the Bailiwick of Jersey or the Isle of Man”.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order extends certain provisions of section 426 of the Insolvency Act 1986 (co-operation between courts) to the Bailiwick of Guernsey with the modifications specified in the Schedule to the Order.