

**The Companies (Guernsey) Law, 2008  
(Insolvency) (Amendment) Ordinance, 2020  
(Commencement and Application) Regulations, 2022**

<i>Made</i>	<i>8<sup>th</sup> December, 2022</i>
<i>Coming into operation</i>	<i>1<sup>st</sup> January, 2023</i>
<i>Laid before the States</i>	<i>, 2023</i>

**THE COMMITTEE FOR ECONOMIC DEVELOPMENT**, in exercise of the powers conferred on it by sections 535, 538 and 542 of the Companies (Guernsey) Law, 2008<sup>a</sup> (the "**Companies Law**"), and section 26 of the Companies (Guernsey) Law, 2008 (Insolvency) (Amendment) Ordinance, 2020<sup>b</sup> (the "**Insolvency Ordinance**") and all other powers enabling it in that behalf, hereby makes the following regulations:-

**Commencement of Insolvency Ordinance.**

1. The Insolvency Ordinance shall come into force on the 1<sup>st</sup> January 2023.

**Application.**

2. The provisions of the Insolvency Ordinance shall not apply to any appointment of an administrator or liquidator made pursuant to -

- (a) sections 374(2) or 384(2) of the Companies Law in respect of an administration,

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<sup>a</sup> Order in Council No. VIII of 2008; this enactment has been amended.

<sup>b</sup> Ordinance No. I of 2020.

- (b) section 395(1)(a), 396(1), 398 or 401(1)(a) of the Companies Law in respect of a voluntary winding up, and
- (c) section 411(b), 413(1) or 416 in respect of a compulsory winding up,

before these Regulations come into force, and the provisions of the Companies Law as it had effect immediately prior to the date of the commencement of these Regulations shall continue to have effect in respect of -

- (i) any such appointment, and
- (ii) the conduct of any administration or liquidation being carried out pursuant to any such appointment, whether or not a new administrator or liquidator is appointed to replace the administrator or liquidator originally so appointed.

**Citation.**

3. These Regulations may be cited as the Companies (Guernsey) Law, 2008 (Insolvency) (Amendment) Ordinance, 2020 (Commencement and Application) Regulations, 2022.

**Commencement of Regulations.**

4. These Regulations shall come into force on the 1<sup>st</sup> January 2023.

Dated this 8th day of December, 2022



Deputy N. Inder

President of the States Committee for Economic Development

For and on behalf of the Committee

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#### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations commence the Companies (Guernsey) Law, 2008 (Insolvency) (Amendment) Ordinance, 2020 and determine that the provisions of that Ordinance shall not apply to relevant appointments made prior to commencement of these Regulations.

These Regulations come into force on 1<sup>st</sup> January 2023.

The Companies (Guernsey) Law, 2008 (Insolvency) (Amendment) Ordinance, 2021 will also come into force on that date.