

## SCHEDULE 3

### NOTICES DELIVERED TO THE REGISTRAR

#### **Interpretation**

1.—(1) In this Schedule—

“the 1986 Order” means the Companies (Northern Ireland) Order 1986<sup>(1)</sup>;

“electronic communication” means the same as in the Electronic Communications Act (Northern Ireland) 2001<sup>(2)</sup>;

“Model Law notice” means a notice delivered to the registrar under paragraph 26(6) of Schedule 2.

(2) Expressions defined in the Model Law or Schedule 2, as appropriate, have the same meaning when used in this Schedule.

(3) References in this Schedule to delivering a notice include sending, forwarding, producing or giving it.

#### **Functions of the registrar**

2.—(1) Where a Model Law notice is delivered to the registrar in respect of a relevant company, the registrar shall enter a note in the register relating to that company.

(2) The note referred to in sub-paragraph (1) shall contain the following particulars, in each case as stated in the notice delivered to the registrar—

- (a) brief details of the court order made;
- (b) the date of the court order; and
- (c) the name and address for service of the person who is the foreign representative in relation to the company.

#### **Delivery to registrar of notices**

3.—(1) Electronic communications may be used for the delivery of any Model Law notice, provided that such delivery is in such form and manner as is directed by the registrar.

(2) Where the Model Law notice is required to be signed, it shall instead be authenticated in such manner as is directed by the registrar.

(3) If a Model Law notice is delivered to the registrar which does not comply with the requirements of these Regulations, he may serve on the person by whom the notice was delivered (or, if there are two or more such persons, on any of them) a notice (a non-compliance notice) indicating the respect in which the Model Law notices does not comply.

(4) Where the registrar serves a non-compliance notice, then, unless a replacement Model Law notice—

- (a) is delivered to him within 14 days after the service of the non-compliance notice, and
- (b) complies with the requirements of these Regulations or is not rejected by him for failure to comply with those requirements,

the original Model Law notice shall be deemed not to have been delivered to him.

---

(1) S.I.1986/1032 (N.I.6)

(2) 2001 c.9 (N.I.)

*Status: This is the original version (as it was originally made).*

**Enforcement of foreign representative’s duty to give notice to registrar**

4.—(1) If a foreign representative, having made default in complying with paragraph 26(6) of Schedule 2 fails to make good the default within 14 days after the service of a notice on the foreign representative requiring him to do so, the court may, on an application made to it by any creditor, member, director or other officer of the debtor or by the registrar, make an order directing the foreign representative to make good the default within such time as may be specified in the order.

(2) The court’s order may provide that all costs of and incidental to the application shall be borne by the foreign representative.

**Rectification of the register under court order**

5.—(1) The registrar shall remove from the register any note, or part of a note—

- (a) that relates to or is derived from a court order that the court has declared to be invalid or ineffective, or
- (b) that the court declares to be factually inaccurate or derived from something that is factually inaccurate or forged,

and that the court directs should be removed from the register.

(2) The court order must specify what is to be removed from the register and indicate where on the register it is and the registrar shall carry out his duty under sub-paragraph (1) within a reasonable time of receipt by him of the relevant court order.