

## SCHEDULE

### PART 1

#### PRIMARY LEGISLATION

##### **The Foyle Fisheries Act (Northern Ireland) 1952**

1. In paragraph 2(4)(c) of Schedule 3A (Foyle and Carlingford Aquaculture Licensing Appeals Board) to the Foyle Fisheries Act (Northern Ireland) 1952(1), for “or he is the subject of a bankruptcy restrictions order,” substitute “or he is the subject of a bankruptcy restrictions order, or a debt relief order has been made in respect of him or he has become the subject of a debt relief restrictions order,”.

##### **The Trustee Act (Northern Ireland) 1958**

2. In section 40(2) (power of court to appoint new trustees) of the Trustee Act (Northern Ireland) 1958(2), after “bankruptcy restrictions order” insert “or in relation to whom a moratorium period under a debt relief order applies or who is subject to a debt relief restrictions order”.

##### **The Magistrates’ Courts Act (Northern Ireland) 1964**

3. In section 6 (persons disqualified for acting as justices) of the Magistrates’ Courts Act (Northern Ireland) 1964(3)—

(a) after subsection (3) insert—

“(3ZA) A person in relation to whom a moratorium period under a debt relief order applies shall not be capable of being appointed a justice of the peace.”;

(b) in subsection (3A) after “bankruptcy restrictions order” insert “or who is subject to a debt relief restrictions order”.

##### **The New Towns Act (Northern Ireland) 1965**

4. In paragraph 6(a) of Schedule 4 (New Town Commissions) to the New Towns Act (Northern Ireland) 1965(4), after “bankruptcy restrictions order” insert “or has had a debt relief order made in respect of him or is the subject of a debt relief restrictions order,”.

##### **The Livestock Marketing Commission Act (Northern Ireland) 1967**

5. In paragraph 1(4)(a) of Part II of the Schedule (membership of the Commission) to the Livestock Marketing Commission Act (Northern Ireland) 1967(5), after “bankrupt” insert “or has had a debt relief order made in respect of him”, and after “bankruptcy restrictions order” insert “or a debt relief restrictions order”.

##### **The Transport Act (Northern Ireland) 1967**

6.—(1) The Transport Act (Northern Ireland) 1967(6) is amended as follows.

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(1) 1952 c. 5 (N.I.); Schedule 3A was inserted by the Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9)), Schedule 1; and paragraph 2(4)(c) of Schedule 3A was amended by S.R. 2015 No.159, paragraph 16 of the Schedule

(2) 1958 c. 23 (N.I.) as amended by S.R. 2015 No.159, paragraph 1 of the Schedule

(3) 1964 c. 21 (N.I.) as amended by S.R. 2015 No.159, paragraph 2 of the Schedule

(4) 1965 c. 13 (N.I.) as amended by S.R. 2015 No.159, paragraph 3 of the Schedule

(5) 1967 c.21 (N.I.) as amended by S.R. 2008 No.94, paragraph 1 of the Schedule

(6) 1967 c. 37 (N.I.); section 7(1A)(b)(ii) and 33(2)(a) were amended by S.R. 2015 No.159, paragraph 4 of the Schedule

(2) In subsection (1A)(b)(ii) of section 7 (conditions of road service licences), after “bankruptcy restrictions order” insert “ or he is a person in relation to whom a moratorium period under a debt relief order applies or becomes subject to a debt relief restrictions order”.

(3) In subsection (2)(a) of section 33 (transfer of licences), after “bankruptcy restrictions order” insert “or has had a debt relief order made in respect of him, or becomes subject to a debt relief restrictions order”.

### **The Solicitors (Northern Ireland) Order 1976**

7.—(1) The Solicitors (Northern Ireland) Order 1976(7) is amended as follows.

(2) In Article 13(1) (discretion of registrar to refuse certificate in special cases), after paragraph (l) insert—

“(m) where a debt relief order has been made in respect of him and at the end of the moratorium period applicable to the order he has been discharged from all the qualifying debts specified in the order; or

(n) where he has been the subject of a debt relief restrictions order.”.

(3) In Article 15(1) (suspension of practising certificate), after “bankruptcy restrictions order” insert “or the making of a debt relief order in respect of him or his becoming the subject of a debt relief restrictions order.”.

(4) In Article 16 (duration of suspension of practising certificate)—

(a) after paragraph (2) insert—

“(2A) The suspension of a practising certificate by virtue of Article 15(1) by reason of the making of a debt relief order shall terminate —

(a) where the debt relief order is revoked on the grounds mentioned in Article 208L(2)(c) or (d) of the Insolvency (Northern Ireland) Order 1989 and a copy of the notice provided to the debtor under Rule 5A.20 of the Insolvency Rules (Northern Ireland) 1991 is served on the Society or the debt relief order is revoked by the High Court under Article 208M(6)(e) of that Order and a copy of the Court order is served on the Society;

(b) the debt relief order is revoked and a period of one year has elapsed beginning with the effective date of that order.”.

(b) in paragraph (3) after “bankruptcy restrictions order”, on each occasion where it occurs, insert “or the making of a debt relief restrictions order”.

(5) In the cross-heading before Article 21A, after “bankruptcy restrictions order” insert “or subject to a debt relief restrictions order”.

(6) In Article 21A (solicitor practising whilst subject to a bankruptcy restrictions order)—

(a) after “bankruptcy restrictions order” insert “or a debt relief restrictions order”;

(b) omit “[and/or an unlimited fine]”.

(7) After Article 21A, insert—

“Solicitor practising within the moratorium period which follows the making of a debt relief order

**21B.** If a solicitor continues to practise as a solicitor while a moratorium period under a debt relief order applies to him and without having had the suspension of his practising certificate terminated under Article 16(4) or (7) or, if his practising certificate has effect subject to terms

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(7) [S.I. 1976/582 \(N.I. 12\)](#); Articles 13(1), 15(1), 16(3), 29(1), 30, 36(2)(a) and 41(3)(a) were amended, and Article 21A was inserted, by [S.R. 2015 No.159](#), paragraph 5 of the Schedule

and conditions by virtue of a direction under Article 16(4)(c) or (7), without complying with those terms or conditions,

he shall be guilty of an offence and shall be liable, on conviction on indictment, to imprisonment for a term not exceeding two years”.

(8) In Article 29(1) (employment by solicitor of persons whose names have been struck off the roll etc.), after “bankruptcy restrictions order” insert “or a moratorium period under a debt relief order applies to him or he is the subject of a debt relief restrictions order”.

(9) In Article 30 (failure to disclose name having been struck off the roll etc.), after “bankruptcy restrictions order” insert “or a moratorium period under a debt relief order applies to him or he is the subject of a debt relief restrictions order”.

(10) In Article 36(2)(a) (powers of Council to deal with property in control of certain solicitors and other persons), after “bankruptcy restrictions order” insert “or has a debt relief order made in respect of him or becomes the subject of a debt relief restrictions order”.

(11) In Article 41(3)(a) (extension of Bankruptcy Acts etc), after “bankrupt restrictions order” insert “or a debt relief order has been made in respect of him or he is the subject of a debt relief restrictions order”.

#### **The Health and Safety at Work (Northern Ireland) Order 1978**

8. In paragraph 6(1)(c) of Schedule 2 (members of the Health and Safety Executive for Northern Ireland) to the Health and Safety at Work (Northern Ireland) Order 1978(8), after “bankruptcy restrictions order” insert “or a debt relief order has been made in respect of him or he is the subject of a debt relief restrictions order”.

#### **The Probation Board (Northern Ireland) Order 1982**

9. In paragraph 3(4)(b) of Schedule 1 (the Probation Board for Northern Ireland) to the Probation Board (Northern Ireland) Order 1982(9), after “bankruptcy restrictions order” insert “or has had a debt relief order has been made in respect of him or is the subject of a debt relief restrictions order”.

#### **The Recreation and Youth Service (Northern Ireland) Order 1986**

10. In paragraph 2(2)(b) of Part 1 of Schedule 1 (constitution of the Sports Council) to the Recreation and Youth Service (Northern Ireland) Order 1986(10), after “bankrupt” insert “or has had a debt relief order made in respect of him”, and after “bankruptcy restrictions order” insert “or a debt relief restrictions order”.

#### **The Enduring Powers of Attorney (Northern Ireland) Order 1987**

11. In paragraph (6)(a) of Article 4 (characteristics of an enduring power) of the Enduring Powers of Attorney (Northern Ireland) Order 1987(11), after “bankruptcy restrictions order” insert “or a person in relation to whom a moratorium period under a debt relief order applies or who is subject to a debt relief restrictions order”.

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(8) S.I. 1978/1039 (N.I.9) as amended by S.R. 2015 No.159, paragraph 6 of the Schedule

(9) S.I. 1982/713 (N.I. 10) as amended by S.R. 2015 No.159, paragraph 7 of the Schedule

(10) S.I. 1986/2232 (N.I. 25) as amended by S.R. 2008 No.94, paragraph 2 of the Schedule

(11) S.I. 1987/1627 (N.I. 16) as amended by S.R. 2015 No.159, paragraph 8 of the Schedule

### **The Criminal Justice Act 1988**

**12.**—(1) The Criminal Justice Act 1988(**12**) is amended as follows.

(2) In section 172(6) (extent), after “paragraph 5(bb)” insert “, 5(bc) and 5(bd)”.

(3) In Schedule 12 (assessors of compensation for miscarriages of justice), after paragraph 5(bb) insert—

“(bc) debt relief order (under Part 7A of the Insolvency (Northern Ireland) Order 1989) has been made in respect of him;

(bd) he has become the subject of a debt relief restrictions order (under Part 7A of the Insolvency (Northern Ireland) Order 1989);”.

### **The Housing (Northern Ireland) Order 1992**

**13.** In paragraph (4)(a) of Article 25 (Department’s power to act for protection of registered housing associations) of the Housing (Northern Ireland) Order 1992(**13**), after “bankruptcy restrictions order” insert “, or is a person in relation to whom a moratorium period under a debt relief order applies or is the subject of a debt relief restrictions order,”.

### **The Armagh Observatory and Planetarium (Northern Ireland) Order 1995**

**14.** In paragraph 3(3)(b) of Schedule 1 (Governors) to the Armagh Observatory and Planetarium (Northern Ireland) Order 1996(**14**), after “bankrupt” insert “or has had a debt relief order made in respect of him”, and after “bankruptcy restrictions order” insert “ or a debt relief restrictions order”.

### **The Arts Council (Northern Ireland) Order 1995**

**15.** In paragraph 4(2)(b) of the Schedule (membership of the Arts Council) to the Arts Council (Northern Ireland) Order 1995(**15**), after “bankrupt” insert “or has had a debt relief order made in respect of him”, and after “bankruptcy restrictions order” insert “ or a debt relief restrictions order”.

### **The Pensions (Northern Ireland) Order 1995**

**16.**—(1) The Pensions (Northern Ireland) Order 1995(**16**) is amended as follows.

(2) In Article 4 (suspension orders)—

(a) in paragraph (1)(c) after “concluded” insert “ or an application has been made by him for a debt relief order (under Part 7A of the Insolvency (Northern Ireland) Order 1989) and the application has not been determined”; and

(b) in paragraph (2)(b) after “concluded” insert “or, in the case of an application for a debt relief order, the application is determined”

(c) In Article 29 (persons disqualified for being trustees) after paragraph (1)(b) insert—

“(ba) a moratorium period under a debt relief order (under Part 7A of the Insolvency (Northern Ireland) Order 1989) applies in relation to him or he is the subject of a debt relief restrictions order under Schedule 2ZB of the Insolvency (Northern Ireland) Order 1989,”.

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(12) 1988 c. 33; section 172(6) was amended by, and paragraph 5(bb) of Schedule 12 was inserted by, [S.R. 2015 No.159](#), paragraph 9 of the Schedule

(13) [S.I. 1992/1725 \(N.I. 15\)](#) as amended by [S.R. 2015 No.159](#), paragraph 10 of the Schedule

(14) [S.I.1995/1622 \(N.I. 7\)](#) as amended by [S.R. 2008 No.94](#), paragraph 3 of the Schedule

(15) [S.I. 1995/1623 \(N.I. 8\)](#) as amended by [S.R. 2008 No.94](#), paragraph 4 of the Schedule

(16) [S.I. 1995/3213 \(N.I. 22\)](#); Article 29 was amended by [S.R. 2008 No.94](#), paragraph 5 of the Schedule

### **The Public Processions (Northern Ireland) Act 1998**

17. In paragraph 3(4)(b) of Schedule 1 (term of office of members of the Commission) to the Public Processions (Northern Ireland) Act 1998(17), after “1986” insert “or Part 7A of the Insolvency (Northern Ireland) Order 1989, and after “in respect of him” insert “or he has become the subject of a debt relief restriction order”.

### **The Museums and Galleries (Northern Ireland) Order 1998**

18. In paragraph 4(2)(b) of Schedule 1 (Board of trustees) to the Museums and Galleries (Northern Ireland) Order 1998(18), after “bankrupt” insert “or has had a debt relief order made in respect of him”, and after “bankruptcy restrictions order” insert “ or a debt relief restrictions order”.

### **The Justice (Northern Ireland) Act 2002**

19.—(1) The Justice (Northern Ireland) Act 2002(19) is amended as follows.

(2) In paragraph 2(4)(c) of Schedule 2 (Judicial Appointments Commission), after “bankruptcy restrictions order” insert “or a debt relief order has been made in respect of him or he has become the subject of a debt relief restrictions order.”.

(3) In paragraph 5(2)(e) of Schedule 3A (Northern Ireland Judicial Appointments Ombudsman) after “bankruptcy restrictions order” insert “, or a person in relation to whom a moratorium period under a debt relief order applies, or is the subject of a debt relief restrictions order”.

(4) In paragraph 1(4)(c) of Schedule 8 (Chief Inspector of Criminal Justice) after “bankruptcy restrictions order” insert “, or a debt relief order has been made in respect of him or he is the subject of a debt relief restrictions order”.

(5) In paragraph 1(4)(c) of Schedule 9 (Law Commissioners) after “bankruptcy restrictions order” insert “ or a debt relief order has been made in respect of him or he is the subject of a debt relief restrictions order”.

### **The Commissioner for Children and Young People (Northern Ireland) Order 2003**

20. In paragraph 3(5)(b) of Schedule 2 (the Commissioner for Children and Young People for Northern Ireland) to the Commissioner for Children and Young People (Northern Ireland) Order 2003(20) after “bankruptcy restrictions order” insert “or had a debt relief order made against him or is the subject to a debt relief restrictions order ”.

### **The Fire and Rescue Services (Northern Ireland) Order 2006**

21.—(1) Schedule 1 (the Northern Ireland Fire and Rescue Service Board) to the Fire and Rescue Services (Northern Ireland) Order 2006(21) is amended as follows.

(2) In paragraph 3(4)(b) (non-executive member of the board), for Part 7A of the Insolvency Act 1986) substitute “Part 7A of the Insolvency (Northern Ireland) Order 1989, or Part 7A of the Insolvency Act 1986), or is the subject of a debt relief restrictions order”.

(3) In paragraph 20, after the definition of “bankruptcy restrictions order” insert—

““debt relief order” means an order made by the Official Receiver under Part 7A of the Insolvency (Northern Ireland) Order 1989, or Part 7A of the Insolvency Act 1986;”.

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(17) 1998 c. 2 (N.I.) as amended by S.R. 2015 No.159, paragraph 11 of the Schedule

(18) S.I. 1998/261 (N.I. 2) as amended by S.R. 2008 No.94, paragraph 6 of the Schedule

(19) 2002 c.26 (N.I.); the paragraphs concerned in Schedules 2, 3A, 8 and 9 were amended by S.R. 2015 No.159, paragraph 12 of the Schedule

(20) S.I. 2003/439 (N.I. 11) as amended by S.R. 2015 No.159, paragraph 13 of the Schedule

(21) S.I. 2006/1254 (N.I. 9); paragraphs (3(4)(b) and 20 were amended by S.R. 2015 No.159, paragraph 14 of the Schedule

### **The Victims and Survivors (Northern Ireland) Order 2006**

**22.** In paragraph 3(6)(b) of the Schedule (the Commission for Victims and Survivors for Northern Ireland) to the Victims and Survivors (Northern Ireland) Order 2006(**22**)—

- (a) after “bankruptcy restrictions order” insert “or has had a debt relief order made against him or is subject to a debt relief restrictions order”;
- (b) for the words “or made” substitute “or has made”.

### **Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010**

**23.** In section 23(1)(f) (revocation, suspension and curtailment of operators’ licences) of the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010(**23**), after “bankruptcy restrictions order” insert “or a debt relief order has been made in respect of him or he has become the subject of a debt relief restrictions order”.

### **Commissioner for Older People Act (Northern Ireland) 2011**

**24.** In paragraph 3(5)(b) of Schedule 1 (the Commissioner for Older People for Northern Ireland) to the Commissioner for Older People Act (Northern Ireland) 2011(**24**), after “bankruptcy restrictions order” insert “or had a debt relief order made in respect of him or is the subject of a debt relief restrictions order”.

### **Transport Act (Northern Ireland) 2011**

**25.** In section 10(1)(d) (revocation, suspension and curtailment of permits) of the Transport Act (Northern Ireland) 2011(**25**), after “bankruptcy restrictions order” insert “or had a debt relief order made in respect of him or is the subject of a debt relief restrictions order”.

### **Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011**

**26.** In section 6(2)(b) (termination of membership of the Panel) of the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011(**26**), after “bankruptcy restrictions order” insert “or has had a debt relief order made in respect of him or is the subject of a debt relief restrictions order”.

### **Justice Act (Northern Ireland) 2011**

**27.**—(1) The Justice Act (Northern Ireland) 2011(**27**) is amended as follows.

(2) In paragraph 8(1)(d) of Schedule 1 (policing and community safety partnerships)—

- (a) after “bankruptcy restrictions order” insert “or P has had a debt relief order made in respect of him or is the subject of a debt relief restrictions order,”;
- (b) for the words “or made” substitute “or has made”.

(3) In paragraph 8(1)(d) of Schedule 2 (district policing and community safety partnerships)—

- (a) after “bankruptcy restrictions order” insert “or P has had a debt relief order made in respect of him or is the subject of a debt relief restrictions order,”;

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(22) S.I. 2006/2953 (N.I. 17) as amended by S.R. 2015 No.159, paragraph 15 of the Schedule

(23) 2010 c. 2 (N.I.) as amended by S.R. 2015 No.159, paragraph 17 of the Schedule

(24) 2011 c.1 (N.I.) as amended by S.R. 2015 No.159, paragraph 18 of the Schedule

(25) 2011 c. 11 (N.I.) as amended by S.R. 2015 No.159, paragraph 19 of the Schedule

(26) 2011 c.17 (N.I.) as amended by S.R. 2015 No.159, paragraph 20 of the Schedule

(27) 2011 c. 24 (N.I.) as amended by S.R. 2015 No.159, paragraph 21 of the Schedule

(b) for the words “or made” substitute “or has made”.