
STATUTORY INSTRUMENTS

1989 No. 2405

The Insolvency (Northern Ireland) Order 1989

PARTS VIII TO XINSOLVENCY OF INDIVIDUALS; BANKRUPTCY

PART VIII

INDIVIDUAL VOLUNTARY ARRANGEMENTS

CHAPTER I

DEEDS OF ARRANGEMENT

Registration of deeds of arrangement

Registrar and deputy registrar

210.—(1) The Department may for the purposes of the registration of deeds of arrangement under this Chapter appoint an officer of the Department as registrar.

(2) The Department may, if it thinks expedient to do so, appoint one or more than one officer of the Department to act as deputy to the registrar.

Mode of registration

211.—(1) Subject to paragraph (2), a deed of arrangement under this Chapter shall be registered by presenting to and filing with the registrar within 7 clear days from the execution of the deed—

- (a) such number of copies as the registrar may determine of the deed, and of every schedule or inventory annexed to the deed or referred to in the deed; and
- (b) an affidavit verifying the time of execution, and containing—
 - (i) the name, residential address and occupation of, the debtor; and
 - (ii) the address of the place or places where his business is carried on; and
- (c) an affidavit by the debtor stating—
 - (i) the total estimated amount of property and liabilities included under the deed; and
 - (ii) the total amount of the composition (if any) payable under the deed; and
 - (iii) the names and addresses of his creditors.

(2) A deed of arrangement shall not be registered unless the original of the deed, duly stamped with the proper revenue duty, is produced to the registrar at the time of the registration.

Form of register

212. The registrar shall keep a register in which he shall record in respect of each deed of arrangement presented for registration—

- (a) the date of the deed;

- (b) the name, residential address and occupation of the debtor;
- (c) the address of the place or places where his business was carried on at the date of the execution of the deed;
- (d) the title of the firm or firms under which the debtor carried on business;
- (e) the name and address of the trustee (if any) under the deed;
- (f) the date of registration;
- (g) the amount of property and liabilities included under the deed, as estimated by the debtor;
- (h) such other particulars as may be prescribed.

Rectification of register

213. Where, on the application of any party interested, the High Court is satisfied that—

- (a) the omission to register a deed of arrangement within the time required by this Chapter, or
- (b) the omission or mis-statement of the name, residential address, place of business or occupation of any person,

was accidental, or due to inadvertence, or to some cause beyond the control of the debtor and not imputable to any negligence on his part, the Court may, on such terms and conditions as are just and expedient, extend the time for registration, or order the omission or mis-statement to be supplied or rectified by the insertion in the register of the true name, residential address and place of business or occupation.