

SCHEDULES

SCHEDULE 9

AMENDMENTS

PART II

OTHER AMENDMENTS

(3) ORDERS IN COUNCIL

The Judgments Enforcement (Northern Ireland) Order 1981 (NI 6)

95. For Article 86 substitute—

“Default of debtor

86.—(1) If the debtor fails to make any payment which he is required to make by virtue of an administration order the Office, if it considers it proper to revoke the administration order, may upon doing so make an order directing that this Article and Article 15 of the Companies (Northern Ireland) Order 1989 shall apply to the person for such period, not exceeding 2 years, as may be specified in the order.

(2) A person to whom this Article so applies shall not—

- (a) either alone or jointly with another person, obtain credit to the extent of the amount prescribed for the purposes of Article 331(1)(a) of the Insolvency (Northern Ireland) Order 1989 or more, or
- (b) enter into any transaction in the course of or for the purposes of any business in which he is directly or indirectly engaged,

without disclosing to the person from whom he obtains the credit, or (as the case may be) with whom the transaction is entered into, the fact that this Article applies to him.

(3) The reference in paragraph (2) to a person obtaining credit includes—

- (a) a case where goods are bailed or hired to him under a hire-purchase agreement or agreed to be sold to him under a conditional sale agreement, and
- (b) a case where he is paid in advance (whether in money or otherwise) for the supply of goods or services.

(4) A person who contravenes this Article shall be guilty of an offence and shall be liable—

- (a) on conviction on indictment, to imprisonment for a term not exceeding 2 years or to a fine, or to both, or
- (b) on summary conviction, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum, or to both.”.