

1983 No. 323

COMPANIES

Companies (Winding-up) Rules (Northern Ireland) 1983

Made 13th October 1983

Coming into operation 1st January 1984

To be laid before Parliament

The Lord Chancellor, in exercise of the powers conferred on him by section 317(1) of the Companies Act (Northern Ireland) 1960(a), with the concurrence of the Department of Economic Development(b) and after consultation with the committee appointed under sub-section (3) of the said section, hereby makes the following Rules:—

Citation and commencement

1. These Rules may be cited as the Companies (Winding-up) Rules (Northern Ireland) 1983 and shall come into operation on 1st January 1984.

Interpretation

2. In these Rules, unless the context otherwise requires:—

“the Bank” means the bank nominated by the Department with the agreement of the Department of Finance and Personnel under Article 93(1) of the Companies (Northern Ireland) Order 1978(c);

“the Department” means the Department of Economic Development;

“the Insolvency Account” means the account established under Article 93(1) of the Companies (Northern Ireland) Order 1978.

Payment of unclaimed dividends, etc. to the Department

3. A liquidator, when paying unclaimed dividends and unapplied or undistributed balances to the Department for lodgment in the Insolvency Account under section 308 of the Companies Act (Northern Ireland) 1960(d), shall produce to the Department a supporting Certificate and Schedule in the form set out in the Schedule to these Rules.

Treatment of unclaimed dividends, etc.

4. The Department shall maintain an account of all dividends which remain unclaimed and all unapplied or undistributed balances which have been lodged to the Insolvency Account.

Payments out of the Insolvency Account

5. No payments shall be made by the Bank from the Insolvency Account except upon a cheque or payable order signed or authorised by an officer appointed by the Department.

(a) 1960 c. 22 (N.I.) as substituted by S.I. 1978/1042 (N.I. 12) Art. 96

(b) Consent function transferred from the Department of Commerce by S.I. 1982/846 (N.I. 11) Art. 4

(c) S.I. 1978/1042 (N.I. 12)

(d) As substituted by S.I. 1978/1042 (N.I. 12) Art. 91

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Dated 13th October 1983

Hailsham of St. Marylebone, C.

The Department of Economic Development hereby concurs with the foregoing Rules.

Sealed with the Official Seal of the Department of Economic Development on 20th October 1983.

(L.S.)

W. T. McCrory

Assistant Secretary

COMPANIES ACT (NORTHERN IRELAND) 1960: Section 308

Certificate by liquidator verifying particulars of unclaimed dividends and unapplied or undistributed balances

Name of liquidator (block letters) and full postal address

.....

Name of Company

I certify that the particulars entered in the schedule hereunto annexed are correct and truly set forth all money in my hands or under my control representing unclaimed dividends and unapplied or undistributed balances arising in the liquidation of the above named company, that to the best of my knowledge and belief the names of the persons interested in and entitled to the said money, and their last known places of residence are truly set forth in the said schedule and that the amount to be paid by me to the Department of Economic Development in respect of unclaimed dividends and unapplied or undistributed balances is £

Signature

Date

SCHEDULE

COMPANIES ACT (NORTHERN IRELAND) 1960

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Name and Address of Creditor	Designation State whether Unclaimed Dividend or Unapplied or Undistributed Balance	Amount of Unclaimed Dividend or Unapplied or Undistributed Balance
		£

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EXPLANATORY NOTE

(This note is not part of the Rules.)

These Rules prescribe—

- (a) the manner in which a liquidator is to pay unclaimed dividends and unapplied or undistributed balances to the Department of Economic Development for lodgment in the Insolvency Account kept under Article 93 of the Companies (Northern Ireland) Order 1978;
- (b) the manner in which payments out of the Insolvency Account are to be made.

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These Orders have been exempted from printing by the Statutory Rules (Northern Ireland) Order 1979. Summaries are given in the List of Statutory Rules of a Local Character under the heading ROADS.