
STATUTORY RULES OF NORTHERN IRELAND

1991 No. 411 (C. 20)

INSOLVENCY

**The Insolvency (1989 Order) (Commencement
No. 4) Order (Northern Ireland) 1991**

Made - - - - 6th September 1991

The Department of Economic Development, in exercise of the powers conferred on it by Article 1(2) and (3) of the Insolvency (Northern Ireland) Order 1989⁽¹⁾, read with paragraph 2(1) of Schedule 1 to the Northern Ireland Act 1974⁽²⁾, and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Insolvency (1989 Order) (Commencement No. 4) Order (Northern Ireland) 1991.

(2) In this Order “the 1989 Order” means the Insolvency (Northern Ireland) Order 1989.

Commencement

2. All the provisions of the 1989 Order not yet in operation, other than those specified in Article 4, shall come into operation on 1st October 1991.

Transitional and supplementary provisions

3.—(1) Articles 197 and 343 of the 1989 Order shall operate with the modifications contained in Schedule 2 to the Insolvency (1989 Order) (Commencement No. 1) Order (Northern Ireland) 1990⁽³⁾ in relation to cases commenced during the period beginning on 31st May 1990 and ending on 30th September 1991 and shall operate without those modifications in relation to cases commenced on or after 1st October 1991.

(2) Anything which is required or authorised to be done by or to the Official Assignee for bankruptcy for Northern Ireland, or any Assistant Official Assignee for bankruptcy for Northern Ireland, under the Bankruptcy Acts (Northern Ireland) 1857 to 1980⁽⁴⁾ and anything which is required or authorised to be done by or to the Official Assignee for company liquidations for

(1) S.I.1989/2405 (N.I. 19)

(2) 1974 c. 28

(3) S.R. 1990 No. 177 (C.7)

(4) 1857 c. 60; 1872 c. 58; 1929 c. 1 (N.I.); 1963 c. 23 (N.I.); S.I. 1980/561 (N.I. 4)

Northern Ireland, or any Assistant Official Assignee for company liquidations for Northern Ireland, under the Companies (Northern Ireland) Order 1986⁽⁵⁾ may be done by or to any officer appointed as official receiver under Article 355(1) of the 1989 Order, or any officer appointed as deputy official receiver under Article 357(1) of the 1989 Order.

Provisions not brought into operation

4. The provisions of the 1989 Order referred to in Article 2 (provisions not coming into operation on 1st October 1991) are—

- (a) paragraph 41(b) of Schedule 9 in so far as it has effect in relation to section 426(11)(b) of the Insolvency Act 1986⁽⁶⁾; and
- (b) Schedule 10 in so far as it repeals paragraphs 96 and 97 of Schedule 2 to the Bankruptcy Amendment (Northern Ireland) Order 1980⁽⁷⁾.

Sealed with the Official Seal of the Department of Economic Development on

6th September 1991.

A. H. McAlister
Assistant Secretary

⁽⁵⁾ S.I. 1986/1032 (N.I. 6)
⁽⁶⁾ 1986 c. 45
⁽⁷⁾ S.I. 1980/561 (N.I. 4)

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order brings into operation on 1st October 1991 all the provisions of the Insolvency (Northern Ireland) Order 1989 not already in operation with the exception of—

(1) paragraph 41(b) of Schedule 9 in so far as it has effect in relation to section 426(11)(b) of the Insolvency Act 1986 (section 426(12)(a) of the Insolvency Act 1986—as inserted by the Insolvency (Northern Ireland) Order 1989—amends subsection 11(b) to give the Department of Economic Development power to make an order designating relevant countries or territories for the purposes of section 426 as it applies to Northern Ireland) and

(2) Schedule 10 in so far as it repeals paragraphs 96 and 97 of Schedule 2 to the Bankruptcy Amendment (Northern Ireland) Order 1980 (amendments to Articles 42 and 43 of the Industrial Relations (Northern Ireland) Order 1976).

Article 3 makes transitional and supplementary provisions.