

## 1993 No. 454

## INSOLVENCY

**The Insolvency Practitioners (Amendment No. 2)  
Regulations (Northern Ireland) 1993**

Made . . . . . 19th November 1993

Coming into operation . . . . . 1st January 1994

The Department of Economic Development, in exercise of the powers conferred on it by Article 352(2) of the Insolvency (Northern Ireland) Order 1989(a), and of every other power enabling it in that behalf, hereby makes the following Regulations:

*Citation and commencement*

1. These Regulations may be cited as the Insolvency Practitioners (Amendment No. 2) Regulations (Northern Ireland) 1993 and shall come into operation on 1st January 1994.

*Amendments to the Insolvency Practitioners Regulations (Northern Ireland) 1991*

2. The Insolvency Practitioners Regulations (Northern Ireland) 1991(b) shall be amended as provided by regulations 3 and 4.

3. For regulation 5 there shall be substituted the following regulation—  
“Application of regulations 6, 6A and 7

5.—(1) The requirements with respect to education and practical training and experience which are prescribed for the purposes of Article 352(2)(b) of the Order are set out in regulations 6, 6A and 7, which shall apply to applicants for authorisation as specified in paragraphs (2) and (3).

(2) Regulation 6 shall apply to all applicants other than an applicant who—

(a) has attained the age of 35 on or before 1st August 1991; or

(b) at the relevant time is the holder of an authorisation.

(3) Regulations 6A and 7 shall apply to all applicants other than an applicant who at the relevant time—

(a) is the holder of an authorisation; and

(b) (i) has been appointed an office-holder in at least one case; or

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

(b) S.R. 1991 No. 302

(ii) has acquired not less than 500 hours of higher insolvency work experience;

within the period of three years immediately prior to the relevant time and in determining whether an applicant falls within this subparagraph the provisions of regulation 7(2) shall apply.”.

4. After regulation 6 there shall be inserted the following regulation—  
“*Joint Insolvency Examination*

6A. An applicant to whom this regulation applies by virtue of regulation 5(3) must at the relevant time have passed the Joint Insolvency Examination set by the Joint Insolvency Examination Board or have acquired in, or been awarded in, a country or territory outside the United Kingdom professional or vocational qualifications which indicate that the applicant has the knowledge and competence that is attested by a pass in that examination.”.

Sealed with the Official Seal of the Department of Economic Development on 19th November 1993.

(L.S.)

A. L. Brown

Assistant Secretary

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#### EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations further amend the Insolvency Practitioners Regulations (Northern Ireland) 1991 as amended by the Insolvency Practitioners (Amendment) Regulations (Northern Ireland) 1993 (S.R. 1993 No. 317).

In addition to minor amendments, the Regulations make the following change of substance:—

With effect from 1st January 1994, a person who applies to the Department of Economic Development for authorisation to act as an insolvency practitioner will not be granted such authorisation unless he has passed a specified examination set by the Joint Insolvency Examination Board or has an overseas qualification which indicates equivalent knowledge and competence (regulation 4).

A person who at the time he applies holds a current authorisation to act as an insolvency practitioner and has fulfilled specified conditions in relation to insolvency work experience, is excepted from the requirements of regulation 4 (regulation 3(3)).