
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 25

INSOLVENCY

**The Insolvency (Northern Ireland) Order 1989
(Prescribed Part) Order (Northern Ireland) 2006**

Made - - - - 2nd February 2006
Coming into operation 27th March 2006

The Department of Enterprise, Trade and Investment⁽¹⁾, in exercise of the power conferred on it by Article 150A (2),(3) and (7) of the Insolvency (Northern Ireland) Order 1989⁽²⁾ and every other power enabling it in that behalf, hereby makes the following Order:

PROSPECTIVE

Citation, Commencement and Interpretation

1.—(1) This Order may be cited as the Insolvency (Northern Ireland) Order 1989 (Prescribed Part) Order (Northern Ireland) 2006 and shall come into operation on 27 March 2006.

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

Commencement Information

I1 Art. 1 in operation at 27.3.2006, see [art. 1\(1\)](#)

Minimum value of the company’s net property

2. For the purposes of Article 150A(3)(a) of the 1989 Order the minimum value of the company’s net property shall be £10,000.

Commencement Information

I2 Art. 2 in operation at 27.3.2006, see [art. 1\(1\)](#)

(1) Formerly the Department of Economic Development; see S.I. 1999/283 (N.I. 1), Article 3(5)
(2) S.I. 1989/2405 (N.I. 19); Article 150A is inserted into the Order by Article 7(1) of the Insolvency (Northern Ireland) Order 2005 (S.I. 2005/1455 (N.I. 10))

Status: This version of this Rule contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Insolvency (Northern Ireland) Order 1989 (Prescribed Part) Order (Northern Ireland) 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Calculation of prescribed part

3.—(1) The prescribed part of the company's net property to be made available for the satisfaction of unsecured debts of the company pursuant to Article 150A of the 1989 Order shall be calculated as follows—

- (a) where the company's net property does not exceed £10,000 in value, 50 per cent of that property;
- (b) subject to paragraph (2), where the company's net property exceeds £10,000 in value the sum of—
 - (i) 50 per cent of the first £10,000 in value; and
 - (ii) 20 per cent of that part of the company's net property which exceeds £10,000 in value.

(2) The value of the prescribed part of the company's net property to be made available for the satisfaction of unsecured debts of the company pursuant to Article 150A shall not exceed £600,000.

Commencement Information

I3 Art. 3 in operation at 27.3.2006, see [art. 1\(1\)](#)

Sealed with the Official Seal of the Department of Enterprise, Trade and Investment on 2 February 2006

L.S.

Michael J Bohill
A senior officer of the
Department of Enterprise, Trade and
Investment

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PROSPECTIVE

EXPLANATORY NOTE

(This note is not part of the Order)

This Order sets out the method of calculation of the prescribed part referred to in Article 150A of the Insolvency (Northern Ireland) Order 1989 (S.I. [1989/2405 \(N.I.19\)](#)), which was inserted into that Order by Article 7(1) of the Insolvency (Northern Ireland) Order 2005 (S.I. [2005/1455 \(N.I.10\)](#)). The prescribed part is a part of the insolvency estate of a company which, but for Article 150A, would have been available to the holders of debentures secured by floating charges. From the coming into operation of Article 150A and this Order, the amount of money reflecting the prescribed part as calculated by virtue of this Order will need to be set aside to satisfy the claims of unsecured creditors under the Article.

Status:

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Changes to legislation:

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Changes and effects yet to be applied to :

- art. 1 coming into force by [S.R. 2006/25 art. 1\(1\)](#)
- art. 2 coming into force by [S.R. 2006/25 art. 1\(1\)](#)
- art. 3 coming into force by [S.R. 2006/25 art. 1\(1\)](#)
- art. 3(2) sum substituted by [S.R. 2022/242 art. 2\(2\)](#)