

SCHEDULE 2

Article 4

Fees payable in Insolvency Proceedings

1.—(1) In this Schedule

“the bankruptcy ceiling” means in relation to a bankruptcy, the sum which is arrived at by adding together—

- (a) the bankruptcy debts required to be paid under the Rules;
- (b) any interest payable by virtue of Article 300(4) of the 1989 Order; and
- (c) the expenses of the bankruptcy as set out in Rule 6.222 other than—
 - (i) any sums spent out of money received in carrying on the business of the bankrupt; and
 - (ii) fee B2 in the Table set out in paragraph 2;

“chargeable receipts” means those sums which are paid into the Insolvency Account after first deducting any amounts paid into the Insolvency Account which are subsequently paid out to secured creditors in respect of their securities or in carrying on the business of the company or the bankrupt;

“the insolvency legislation” means the Insolvency (Northern Ireland) Order 1989, the Insolvency Rules (Northern Ireland) 1991 and the Insolvency Regulations (Northern Ireland) 1996(1); and

“the registrar” means the registrar appointed under Article 210(1) of the 1989 Order and any reference to the register is to the register to be kept by him under Article 212 of that Order.

(2) In this Schedule, references to the performance of the “general duties” of the official receiver on the making of a winding-up or bankruptcy order—

- (a) include the payment by the official receiver of any fees, costs or disbursements except for those associated with the realisation of assets or the distribution of funds to creditors; but
- (b) do not include anything done by the official receiver in connection with or for the purposes of—
 - (i) the appointment of agents for the purposes of, or in connection with, the realisation of assets;
 - (ii) the making of a distribution to creditors (including preferential or secured creditors or both such classes of creditor);
 - (iii) the realisation of assets on behalf of the holder of a fixed or floating charge or both types of those charges; or
 - (iv) the supervision of a special manager.

2. Fees payable to the Department in respect of proceedings under Parts I to X of the 1989 Order and the performance by the official receiver and the Department of functions under those Parts shall be determined in accordance with the provisions of the Table of Fees set out below—

(1) [S.R. 1996 No. 574](#) as amended by [S.R. 2006 No. 23](#)

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Table of Fees

Fees payable in respect of deeds of arrangement only		
<i>Designation of fee</i>	<i>Description of fee and circumstances in which it is charged</i>	<i>Amount of fee or applicable %</i>
1	On filing with the Registrar a deed where the total estimated amount of property included therein or the total amount of composition thereunder appears from the affidavit of the debtor to be—	
	(a) £1,000 or less	£8.25
	(b) over £1,000 and not over £2,500	£14.00
	(c) over £2,500 and not over £5,000	£22.00
	(d) over £5,000	£27.50
2	On filing with the Registrar any deed not covered by Fee No. 1	£11.00
3	On a certificate of registration of an original deed endorsed thereon	£1.50
4	On filing with the Registrar a statutory declaration, affidavit or notice pursuant to the 1989 Order	£1.10
5	On searching the register and on inspecting the filed copy, including taking the limited extract under Article 225 of the 1989 Order (for every name inspected)	£1.10
6	On an account transmitted by a trustee under Article 222 of the 1989 Order—	
	(a) where the gross amount of the assets realised and brought to credit, or of the composition distributed (in the case of a composition) during the period of account does not exceed £1,000 on every £100 or part thereof	£2.25
	(b) where the gross amount exceeds £1,000 and in addition for every £100 or part thereof exceeding £1,000	£1.50

Fees payable in respect of deeds of arrangement only		
<i>Designation of fee</i>	<i>Description of fee and circumstances in which it is charged</i>	<i>Amount of fee or applicable %</i>
7	On an application to inspect the accounts of a trustee under Article 225(2) of the 1989 Order	£1.50
8	On copies of documents supplied—	
	(a) per foolscap or A4 ISO page	£0.35
	(b) all larger pages	£0.70
Fees payable in respect of individual voluntary arrangements only		
<i>Designation of fee</i>	<i>Description of fee and circumstances in which it is charged</i>	<i>Amount of fee or applicable %</i>
IVA1	Individual voluntary arrangement registration fee	£35
	On the registration of an individual voluntary arrangement by the Department there is payable a fee of—	
IVA2	Individual voluntary arrangement – official receiver’s nominee fee	£300
	For the performance by the official receiver in relation to an individual voluntary arrangement of the functions of nominee there shall be payable on the agreement of the official receiver so to act a fee of—	
IVA3	Individual voluntary arrangement – official receiver’s supervisor fee	15%
	For the performance by the official receiver in relation to an individual voluntary arrangement of the functions of supervisor, there shall be payable a fee calculated as a percentage of any monies	

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Fees payable in respect of deeds of arrangement only		
<i>Designation of fee</i>	<i>Description of fee and circumstances in which it is charged</i>	<i>Amount of fee or applicable %</i>
	realised whilst he acts as supervisor at the rate of—	
Fees payable in bankruptcies only		
<i>Designation of fee</i>	<i>Description of fee and circumstances in which it is charged</i>	<i>Amount of fee or applicable %</i>
B1	Bankruptcy – official receiver’s administration fee For the performance by the official receiver of his general duties as official receiver on the making of a bankruptcy order there shall be payable a fee of—	£925
B2	Bankruptcy – Department’s administration fee For the performance by the Department of its general duties under the insolvency legislation in relation to the administration of the estate of each bankrupt, there shall be payable a fee (up to a maximum of £100,000) calculated as a percentage of total chargeable receipts relating to the bankruptcy (but ignoring the first £2000 and that part of the total receipts which exceeds the bankruptcy ceiling) at the rate of—	17%
Fees payable in relation to winding up by the High Court only		
<i>Designation of fee</i>	<i>Description of fee and circumstances in which it is charged</i>	<i>Amount of fee or applicable %</i>
W1	Winding up by the High Court – official receiver’s administration fee For the performance by the official receiver of his general duties as official receiver on the making of a winding-up	£1,495

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Fees payable in respect of deeds of arrangement only		
<i>Designation of fee</i>	<i>Description of fee and circumstances in which it is charged</i>	<i>Amount of fee or applicable %</i>
	order there shall be payable a fee of—	
W2	<p>Winding up by the High Court – Department’s administration fee</p> <p>For the performance by the Department of its general duties under the insolvency legislation in relation to the administration of the affairs of each company which is being wound up by the High Court, there shall be payable a fee (up to a maximum of £100,000) calculated as a percentage of total chargeable receipts relating to the company (but ignoring the first £2000) at the rate of—</p>	17%