

SCHEDULE 2

PROCEDURAL MATTERS

PART 5

REPLACEMENT OF FOREIGN REPRESENTATIVE

Contents of application and affidavit in support

13.—(1) An application under paragraph 12(3) shall in addition to the matters required to be stated by paragraph 19(2) state the following matters—

- (a) the name of the replacement foreign representative and his address for service within Northern Ireland;
- (b) details of the circumstances in which the former foreign representative ceased to be foreign representative in the foreign proceeding in relation to the debtor (including the date on which he ceased to be the foreign representative);
- (c) details of his own appointment as replacement foreign representative in the foreign proceeding (including the date of that appointment).

(2) The application shall be accompanied by an affidavit in support sworn by the applicant which shall contain or have attached to it—

- (a) a certificate from the foreign court affirming—
 - (i) the cessation of the appointment of the former foreign representative as foreign representative; and
 - (ii) the appointment of the applicant as the foreign representative in the foreign proceeding; or
- (b) in the absence of such a certificate, any other evidence acceptable to the court of the matters referred to in paragraph (a); and
- (c) a translation in English of any document exhibited to the affidavit which is in a language other than English.

(3) All translations referred to in paragraph (c) must be certified by the translator as a correct translation.

Commencement Information

II Sch. 2 para. 13 in operation at 12.4.2007, see [reg. 1](#)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Cross-Border Insolvency Regulations (Northern Ireland) 2007. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- Sch. 1 art. 16(2A) inserted by [S.I. 2019/146 Sch. para. 241\(a\)](#)
- Sch. 1 art. 3 omitted by [S.I. 2019/146 Sch. para. 240](#)
- Sch. 1 art. 2(b) substituted by [S.I. 2017/702 Sch. para. 144\(2\)](#)
- Sch. 1 art. 16(3) substituted by [S.I. 2019/146 Sch. para. 241\(b\)](#)
- Sch. 1 art. 2(b) words inserted by [S.I. 2019/146 Sch. para. 239\(a\)](#)
- Sch. 1 art. 2(k) words inserted by [S.I. 2019/146 Sch. para. 239\(b\)\(i\)](#)
- Sch. 1 art. 2(k) words inserted by [S.I. 2019/146 Sch. para. 239\(b\)\(ii\)](#)
- Sch. 1 art. 1(3)(b) words omitted by [S.I. 2019/146 Sch. para. 238](#)
- Sch. 2 para. 1(6)(6A) substituted for Sch. 2 para. 1(6) by [S.I. 2013/472 Sch. 2 para. 124\(a\)\(i\)](#)
- Sch. 2 para. 21(2)(i)(j) substituted for Sch. 2 para. 21(2)(i) by [S.I. 2013/472 Sch. 2 para. 124\(b\)\(ii\)](#)
- Sch. 2 para. 25(1)(i)(ia) substituted for Sch. 2 para. 25(1)(i) by [S.I. 2013/472 Sch. 2 para. 124\(c\)](#)
- Sch. 2 para. 26(3)(g)(ga) substituted for Sch. 2 para. 26(3)(g) by [S.I. 2013/472 Sch. 2 para. 124\(d\)](#)
- Sch. 2 para. (1)(1) words substituted by [S.I. 2017/702 Sch. para. 144\(3\)\(a\)](#)
- Sch. 2 para. (1)(1) words substituted by [S.I. 2017/702 Sch. para. 144\(3\)\(b\)](#)
- Sch. 4 Form ML6 words omitted by [S.I. 2019/146 Sch. para. 252](#)
- Sch. 5 para. 5 words substituted by [2010 c. 10 Sch. 2 para. 5](#)