SCHEDULE 2

PROCEDURAL MATTERS

PART 7

COURT PROCEDURE AND PRACTICE WITH REGARD TO PRINCIPAL APPLICATION AND ORDERS

Service of the application

21.—(1) In sub-paragraph (2), references to the application are to a sealed copy of the application issued by the court together with any affidavit in support of it and any documents exhibited to the affidavit.

(2) Unless the court otherwise directs, the application shall be served on the following persons, unless they are the applicant—

(a) on the foreign representative;

(b) on the debtor;

(c) if a Northern Ireland insolvency officeholder is acting in relation to the debtor, on him;

(d) if any person has been appointed an administrative receiver of the debtor or, to the knowledge of the foreign representative, as a receiver or manager of the property of the debtor in Northern Ireland, on him;

(e) if a member State liquidator has been appointed in main proceedings in relation to the debtor, on him;

(f) if to the knowledge of the foreign representative a foreign representative has been appointed in any other foreign proceeding regarding the debtor, on him;

(g) if there is pending in Northern Ireland a petition for the winding up or bankruptcy of the debtor, on the petitioner;

(h) on any person who to the knowledge of the foreign representative is or may be entitled to appoint an administrator of the debtor under paragraph 15 of Schedule B1 to the 1989 Order(**1**) (appointment of administrator by holder of qualifying floating charge); and

(i) if the debtor is a debtor who is of interest to the Financial Services Authority, on that Authority.

Commencement Information

I1 Sch. 2 para. 21 in operation at 12.4.2007, see **reg. 1**

(**1**) Schedule B1 was inserted into S.I. 1989/2405 (N.I. 19) by Article 3(2) of and Schedule 1 to S.I. 2005/1455 (N.I. 10)

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 :

- Sch. 2 para. 21(2)(e) omitted by S.I. 2019/146 Sch. para. 246
- Sch. 2 para. 21(2)(h) word omitted by S.I. 2013/472 Sch. 2 para. 124(b)(i)

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