
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 64

The Bank Insolvency Rules (Northern Ireland) 2009

PART 18

COURT PROCEDURE AND PRACTICE

CHAPTER 1

APPLICATIONS (GENERAL)

Preliminary

188. This Part applies to any application made to the court under the 2009 Act or these Rules except an application under section 95 of the 2009 Act for a bank insolvency order.

Interpretation

189. Apply rule 7.06 of the 1991 Rules.

Form and contents of application

190. Apply rule 7.07 of the 1991 Rules

Application under Article 150A(5) to disapply Article 150A

191.—(1) Apply rule 7.07(1) of the 1991 Rules.

(2) In paragraph (1), delete “administrator or receiver”.

(3) Delete paragraph (2)(a).

Filing and service of application

192. Apply rule 7.08 of the 1991 Rules.

Notice of application under section Article 150A(5)

193. Apply rule 7.08A(2) of the 1991 Rules. Delete from “save that notice” to “State liquidator”.

Other hearings without notice

194. Apply rule 7.09 of the 1991 Rules.

(1) Rule 7.07A was inserted by the Insolvency (Amendment) Rules (Northern Ireland) 2006 (S.R. 2006/47), rule 97.

(2) Rule 7.08A was inserted by the Insolvency (Amendment) Rules (Northern Ireland) 2006 (S.R. 2006/47), rule 98.

Hearing of application

195. Apply rule 7.03 of the 1991 Rules.

Use of affidavit evidence

196. Apply rule 7.10 of the 1991 Rules.

Filing and service of affidavits

197. Apply rule 7.11 of the 1991 Rules. Delete paragraph (2).

Use of reports

198.—(1) Unless the application involves other parties, or the court orders otherwise, a report may be filed in court instead of a witness statement by—

- (a) the bank liquidator,
- (b) the provisional bank liquidator, or
- (c) the special manager,

(2) In any case where a report is filed instead of a witness statement, the report shall be treated for the purposes of rule 197 and any hearing before the court as if it were a witness statement.

Adjournment of hearing: directions

199. Apply rule 7.13 of the 1991 Rules.