

## SCHEDULE

### PART 7

#### Northern Ireland

##### Amendments to the Insolvency (Northern Ireland) Order 1989

**105.**—(1) Article 167 (early dissolution) is amended as follows.

(2) After paragraph (1) insert—

“(1A) Paragraph (1B) applies where, immediately before the official receiver makes an application under paragraph (1), there are EU insolvency proceedings open in respect of the company in one or more member States.

(1B) The official receiver shall send to the registrar, with the application, a statement—

- (a) identifying those proceedings,
- (b) identifying the member State liquidator appointed in each of those proceedings, and
- (c) indicating, in relation to each of those member State liquidators, whether that member State liquidator consents to the company being dissolved.”

(3) In paragraph (2) for “that application” substitute “an application under paragraph (1).

(4) In paragraph (3) at the end add “and to send any statement under paragraph (1B).”

(5) In paragraph (4)—

(a) in the first sentence

- (i) after “under paragraph (1)” insert “and any statement under paragraph (1B),
- (ii) after “shall forthwith register it” insert “or them”, and
- (iii) at the end insert “(except where paragraph (5) applies)”.

(b) After paragraph (4) insert—

“(5) This paragraph applies where a statement under paragraph (1B) indicates that a member State liquidator does not consent to the company being dissolved.

(6) Where paragraph (5) applies, the company is deemed to be dissolved at the end of the period of 3 months beginning with the date (if any) recorded in the register as the date on which the registrar was notified that—

- (a) all proceedings identified in the statement under paragraph (1B) were closed, or
- (b) every member State liquidator appointed in those proceedings consented to the company being dissolved.”

(c) Paragraph (5) becomes paragraph (7).

(6) In paragraph (5), for “that period” substitute “the period in paragraph (4) or (6)”. ”

##### Commencement Information

**II** Sch. para. 105 in force at 26.6.2017, see [reg. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Insolvency Amendment (EU 2015/848) Regulations 2017, Paragraph 105.