
STATUTORY INSTRUMENTS

1996 No. 1632

**The Deregulation and Contracting
Out (Northern Ireland) Order 1996**

PART III

CONTRACTING OUT

Official receiver

12.—(1) Subject to paragraph (2), any function of the official receiver which is conferred by or under the insolvency legislation, except one set out in Schedule 3, may be exercised by, or by employees of, any person authorised in that behalf by the official receiver.

(2) Where a function to which paragraph (1) applies involves the exercise of a right of audience in relation to any proceedings before the Court, it must not be exercised by any person unless he has such a right in relation to the proceedings in question.

(3) In so far as the official receiver does not already have power to do so, he may authorise an officer of his to exercise any function of his which is conferred by or under any enactment.

(4) Subject to paragraph (5), anything done or omitted to be done by an officer so authorised in, or in connection with, the exercise or purported exercise of the function shall be treated for all purposes as done or omitted to be done by the official receiver in his capacity as such.

(5) Paragraph (4) does not apply for the purposes of any criminal proceedings brought in respect of anything done or omitted to be done as mentioned in that paragraph.

(6) In this Article and Schedule 3—

“the Court” means the High Court;

any expression used (other than “the Rules”) has the same meaning as in the Insolvency Order;

“the insolvency legislation” means^{F1} . . . [^{F2} the Company Directors Disqualification (Northern Ireland) Order 2002], the Insolvency Order, any instrument made under any of those Orders and any regulations made under rule 12.01 of the Rules;

“the Insolvency Order” means the Insolvency (Northern Ireland) Order 1989;

“right of audience” means the right to exercise any of the functions of appearing before and addressing the Court, including the calling and examining of witnesses;

“the Rules” means the Insolvency Rules (Northern Ireland) 1991.

F1 Words in [art. 12\(6\)](#) in definition of “the insolvency legislation” omitted (1.10.2009) by virtue of [Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 2(1), [Sch. 1 para. 166\(4\)](#) (with [art. 10](#))

F2 [2002 NI 4](#)

Changes to legislation:

There are currently no known outstanding effects for the The Deregulation and Contracting Out (Northern Ireland) Order 1996, Section 12.