
STATUTORY RULES OF NORTHERN IRELAND

1981 No. 225

County Court Rules (Northern Ireland) 1981

ORDER 18

Receivers

Appointment

1. Where before, at or after the hearing of any proceedings it appears to the judge expedient that a receiver be appointed, such appointment may be made by the judge of his own motion or on the application of a party.

Security

2. Every receiver other than an officer of the court shall, unless otherwise ordered, give such security to the circuit registrar for the faithful discharge of his duties, and the payment over of money, as the judge shall direct.

Remuneration

3. Every receiver shall receive such reasonable remuneration as the judge may authorise.

Accounts

4.—(1) Every receiver shall deliver at the Office for examination by the circuit registrar such accounts at such time or times as the judge or circuit registrar may direct.

(2) Where the duties of a receiver are continuous, no longer period than one year shall in any case be allowed between each examination of accounts.

(3) Every such account shall, unless otherwise ordered, be verified by affidavit.

(4) When any such account has been delivered, the chief clerk shall fix a time for the passing of the account and shall give notice thereof to the receiver and to the parties.

Passing account

5. At the time appointed for the passing of the account, the receiver and any party may, and if required by the circuit registrar shall, attend at the Office and the circuit registrar may require the receiver to produce any vouchers necessary for verifying the account and may disallow any item not proved to his satisfaction.

Certificate of circuit registrar

6. The circuit registrar shall after examining the account make and sign a certificate stating the result of the examination.

Review by judge

7. The receiver or any person dissatisfied with the allowance or disallowance by the circuit registrar of any item in the account may within eight days from receiving notice of the signing of the certificate under Rule 6 apply to the judge on notice for a review of the decision of the circuit registrar, and the judge may make such order on the application as he thinks fit.

Direct payments by receiver

8. The judge may order the receiver—

- (a) to pay from time to time out of any sums that may be in or come into his hands the head rents or other outgoings payable in respect of, and the interest upon, any mortgages or other charges upon any lands over which he is acting as receiver;
- (b) to pay over at any time to the party entitled to the beneficial interest or to the guardian of any minor any accruing rents or interest instead of paying them into court;

and may authorise the receiver to take credit for such payments in his accounts.

Payment of balance into court

9. Any balance certified to be due from the receiver shall, subject to any direction given by the judge on review under Rule 7, be paid into court within fourteen days from the date of the certificate of the circuit registrar.

Default by receiver

10. Where any receiver has failed to deliver or pass any account or to make any payment certified to be due from him, the judge may require the receiver to attend before him to show cause why such default has been made and may make such order as he thinks fit, including an order for enforcing any bond or security given by the receiver, and a direction to charge the receiver with interest at five per centum per annum on any balance which has remained in his hands for more than fourteen days from the date on which it was certified to be due, or the judge may discharge the receiver and appoint another, and may make such order as to costs as he thinks just.