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STATUTORY RULES OF NORTHERN IRELAND

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**1991 No. 364**

**The Insolvency Rules (Northern Ireland) 1991**

PARTS 5 AND 6 INSOLVENCY OF INDIVIDUALS; BANKRUPTCY

PART 6

BANKRUPTCY

CHAPTER 10

THE TRUSTEE IN BANKRUPTCY

*SECTION B: RESIGNATION AND REMOVAL; VACATION OF OFFICE*

**Meeting of creditors to remove trustee**

**6.126.**—(1) Where a meeting of creditors is summoned for the purpose of removing the trustee, the notice summoning it shall indicate that this is the purpose, or one of the purposes, of the meeting; and the notice shall draw the attention of creditors to Article 272(3) with respect to the trustee's release.

(2) A copy of the notice shall at the same time also be sent to the official receiver.

(3) At the meeting, a person other than the trustee or his nominee may be elected to act as chairman; but if the trustee or his nominee is chairman and a resolution has been proposed for the trustee's removal, the chairman shall not adjourn the meeting without the consent of at least one-half (in value) of the creditors present (in person or by proxy) and entitled to vote.

(4) Where the chairman of the meeting is other than the official receiver, and there is passed at the meeting any of the following resolutions—

- (a) that the trustee be removed,
- (b) that a new trustee be appointed,
- (c) that the removed trustee be not given his release,

the chairman shall, within 3 days, send to the official receiver a copy of the resolution.

(5) If it has been resolved to remove the trustee, the chairman shall send to the official receiver a certificate to that effect.

(6) If the creditors have resolved to appoint a new trustee, the certificate of his appointment shall also be sent to the official receiver within 3 days of the passing of the resolution; and Rule 6.117 shall be complied with in respect of it.

[E.R.6.129]