
STATUTORY RULES OF NORTHERN IRELAND

1991 No. 364

The Insolvency Rules (Northern Ireland) 1991

PARTS 5 AND 6 INSOLVENCY OF INDIVIDUALS; BANKRUPTCY

PART 6

BANKRUPTCY

CHAPTER 21

ANNULMENT OF BANKRUPTCY ORDER

Application for annulment

6.203.—(1) An application to the court under Article 256(1) for the annulment of a bankruptcy order shall specify whether it is made—

- (a) under Article 256 (1)(a) (claim that the order ought not to have been made), or
- (b) under Article 256 (1)(b) (debts and expenses of the bankruptcy all paid or secured).

(2) The application shall, in either case, be supported by an affidavit stating the grounds on which it is made; and, where it is made under Article 256(1)(b), there shall be set out in the affidavit all the facts by reference to which the court is, under the Order and the Rules, required to be satisfied before annulling the bankruptcy order.

(3) A copy of the application and supporting affidavit shall be filed in court; and the court shall give to the applicant notice of the venue fixed for the hearing.

(4) The applicant shall give to the official receiver and (if other) the trustee notice of the venue, accompanied by copies of the application and the affidavit under paragraph (2)—

- (a) where the application is made under Article 256(1)(a), in sufficient time to enable them to be present at the hearing, and
- (b) where the application is made under Article 256 (1)(b), not less than 28 days before the hearing date.

(5) Where the application is made under Article 256(1)(a), paragraph (4) shall additionally be complied with in relation to the person on whose petition the bankruptcy order was made.

[E.R.6.206]