

SCHEDULE 3

Regulation 50

TRANSITIONAL AND SAVING PROVISIONS

Interpretation

1. In this Schedule the expression “the former Regulations” means the Insolvency Regulations (Northern Ireland) 1991.

Requests pursuant to regulation 15(1) of the former Regulations

2. Any request made pursuant to regulation 15(1) of the former Regulations which has not been complied with prior to 31st January 1997 shall be treated, in the case of a company that is being wound up by the court, as a request made pursuant to regulation 11(1) and, in the case of a bankruptcy, as a request made pursuant to regulation 26 and in each case the request shall be treated as if it had been made on 31st January 1997.

Things done under the provisions of the former Regulations

3. So far as anything done under, or for the purposes of, any provision of the former Regulations could have been done under, or for the purposes of the corresponding provision of these Regulations, it is not invalidated by the revocation of that provision but has effect as if done under, or for the purposes of, the corresponding provision.

Time periods

4. Where any period of time specified in a provision of the former Regulations is current immediately before 31st January 1997, these Regulations have effect as if the corresponding provision of these Regulations had been in operation when the period began to run; and (without prejudice to the foregoing) any period of time so specified and current is deemed for the purposes of these Regulations—

- (a) to run from the date or event from which it was running immediately before 31st January 1997, and
- (b) to expire whenever it would have expired if these Regulations had not been made;

and any rights, obligations, requirements, powers or duties dependent on the beginning, duration or end of such period as above-mentioned shall be under these Regulations as they were or would have been under the former Regulations.

References to other provisions

5. Where in any provision of these Regulations there is a reference to another provision of these Regulations, and the first-mentioned provision operates, or is capable of operating, in relation to things done or omitted, or events occurring or not occurring, in the past (including in particular past acts of compliance with the former Regulations), the reference to that other provision is to read as including a reference to the corresponding provision of the former Regulations.

Provisions of Schedule to be without prejudice to the operation of sections 28 and 29 of the Interpretation Act (Northern Ireland) 1954

6. The provisions of this Schedule shall have effect without prejudice to sections 28 and 29 of the Interpretation Act (Northern Ireland) 1954(1).

(1) 1954 c. 33 (N.I.)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Meaning of “corresponding provision”

7.—(1) A provision in the former Regulations, except regulation 15(1) of those Regulations, is to be regarded as the corresponding provision of a provision in these Regulations notwithstanding any modifications made to the provision as it appears in these Regulations.

(2) Without prejudice to the generality of the term “corresponding provision” the following table shall, subject to sub-paragraph (3), have effect in the interpretation of that expression with a provision of these Regulations listed in the left hand column being regarded as the corresponding provision of a provision of the former Regulations listed opposite it in the right hand column and that latter provision being regarded as the corresponding provision of the first-mentioned provision:

Table

<i>Provision in these Regulations</i>	<i>Provision in the former Regulations</i>
5	4
6	6
7	5
8	17
9	21
10	9, 28
11(2)	33
12	10, 29
13	11, 30
15	14, 32
16(1)	16
16(2)	34
17	36
18	18, 35
20	4
21	6
22	5
23	17
24	21
25	9
27	10
28	11
30	14
31	16
32	19
33	20, 35

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<i>Provision in these Regulations</i>	<i>Provision in the former Regulations</i>
34, Table 1 in Schedule 1	22
36, Table 2 in Schedule 1	23
37, Table 1 in Schedule 1	25
39	38
40	39
41	40
42	41
43	42
44	44
45	45
46	47(6)
47	48
48	50
49	51

(3) Where a provision of the former Regulations is expressed in the Table in sub-paragraph (2) to be the corresponding provision of a provision in these Regulations and the provision in the former Regulations was capable of applying to other proceedings in addition to those to which the provision in these Regulations is capable of applying, the provision in the former Regulations shall be construed as the corresponding provision of the provision in these Regulations only to the extent that they are both capable of applying to the same type of proceedings.

NOTE

The note in square brackets at the end of a regulation does not form part of these Regulations. “E.R.” refers to a corresponding regulation in the Insolvency Regulations 1994 [S.I. 1994/2507] which apply to bankrupts in England and Wales and to companies which the courts in England and Wales have jurisdiction to wind up. “D.A.R.” refers to a corresponding rule in the Deeds of Arrangement Rules 1925 [S.R. & O. 1925/795, as amended by S.R. & O. 1941/1253, S.I. 1962/297 and S.I. 1986/2001] which apply in England and Wales. A regulation may not be identical to a corresponding provision.