
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 28

Registration of Deeds Regulations (Northern Ireland) 1997

Part IV

INSOLVENCY

Registration of bankruptcy petition

15. The document to be lodged in the registry of deeds for registration of a bankruptcy petition pursuant to section 3A(1) of the Act shall be in Form 10.

Vacation of registration of bankruptcy petition

16. The certificate of the appropriate court to be lodged in the registry of deeds for the purpose of vacating the registration of a bankruptcy petition shall be in Form 11.

Registration of bankruptcy order

17. The document to be lodged in the registry of deeds for registration of a bankruptcy order pursuant to section 3B(2) of the Act shall be in Form 12.

Registration of order amending title of insolvency proceedings

18. Where an order has been made by the High Court amending the title of proceedings in an insolvency matter and the order has been lodged for registration in accordance with the Registration of Deeds Acts, the registrar shall on registration of such order include in the entries of the relevant bankruptcy petition and bankruptcy order (as the case may require) a reference to the amending order and the date of its registration in the registry of deeds.

Vacation of registration of bankruptcy order

19. The certificate of the appropriate court to be lodged in the registry of deeds for the purpose of vacating the registration of a bankruptcy order shall be in Form 13.

Registration of bankrupt's rights of occupation and the vacation, variation, release or postponement of priority of such rights

20.—(1) Regulations 13 and 14 shall not apply to a bankrupt's rights of occupation under Article 310 of the 1989 Order.

(2) The document to be lodged in the registry of deeds for registration of a charge in respect of such rights of occupation shall be in Form 14.

(1) Sections 3A and 3B were inserted by [S.I. 1989/2405 \(N.I. 19\)](#) Art. 381 and Sch. 9 para. 77

(2) Sections 3A and 3B were inserted by [S.I. 1989/2405 \(N.I. 19\)](#) Art. 381 and Sch. 9 para. 77

(3) Except as provided in paragraph (5) the document to be lodged in the registry of deeds for registration of the variation of a bankrupt's rights of occupation, or the release of any interest in all or any part of the relevant dwelling house from such rights, or the postponement of the priority of such rights shall be in Form 15.

(4) Except as provided in paragraph (6), where a charge in respect of a bankrupt's rights of occupation affects unregistered land, its registration in the registry of deeds and the variation, release of, or the postponement of the priority of, such registration shall be effected by entering particulars of such document in the Abstract Book and in the Index of Names.

(5) The document to be lodged in the registry of deeds for the purpose of vacating the registration of a charge in respect of such rights of occupation shall be—

- (a) an office copy of a judgment, decree or order of a court authorising the vacation of or terminating such charge;
- (b) a certificate signed by an official of a court or under the seal of a court stating that such charge or the rights of occupation protected by such charge have ceased to have effect; or
- (c) a certificate in Form 16 made by the bankrupt.

(6) The registration of a document lodged in the registry of deeds for the purpose of vacating the registration of a charge in respect of such rights of occupation shall be effected by entering a memorandum of such vacate in the Abstract Book adjacent to the entry of the registration of the relevant charge.

(7) When lodging a document referred to in paragraphs (2) and (3), the original document shall be accompanied by a copy certified as a true copy by the person lodging the document for registration or causing it to be so lodged. The original document shall, for the purpose of the Registration of Deeds Acts, be treated as the document to be registered and the copy shall, subject to regulation 4, be treated for those purposes as the memorial of that document.

Additional entries in Abstract Book and Index of Names

21.—(1) In the application of regulation 8 to a memorial lodged in connection with the registration of a document referred to in regulations 15, 17, 18, and 20(2) and (3) the debtor or the bankrupt (as the case may be) and, where applicable, the trustee of the bankrupt's estate, shall be deemed to be grantors appearing in the memorial.

(2) In addition to the particulars required by regulation 8 to be contained in the abstract of such memorials, there shall be entered therein the following particulars—

- (i) the title of the bankruptcy petition or the bankruptcy order (as the case may be);
- (ii) the date of presentation of such petition, or the date of such order (as the case may be); and
- (iii) the High Court record number;

so far as the particulars are contained in the memorial.

(3) In the application of regulation 9 to the registration of a document referred to in regulations 15, 17, 18, 20(2) and (3) the debtor or the bankrupt (as the case may be) and, where applicable, the trustee of the bankrupt's estate, shall be deemed to be grantors appearing in that document.