

SCHEDULE 2

Regulation 3

Amendments to Schedule 3 to the principal regulations

1. Schedule 3 to the principal regulations is amended as follows.

2. In the paragraph after the entry relating to Article 20, relating to modifications to Articles 15 and 16 of the 1989 Order where a proposal under Article 14 has been made by the limited liability partnership, for the words “an administration order is in force in relation to the limited liability partnership” substitute “the limited liability partnership is in administration”.

3. Omit the entries relating to Articles 21, 22, 23, 24, 26 and 27 of the 1989 Order(1).

4. In the entry relating to Article 70 of the 1989 Order (circumstances in which company may be wound up voluntarily)(2)—

Insert after paragraph (1)

“paragraph (1A)	For “company passes a resolution for voluntary winding up” substitute “limited liability partnership determines that it is to be wound up voluntarily” and for “resolution” where it appears for the second time substitute “determination”.
paragraph (1B)	For “resolution for voluntary winding up may be passed only” substitute “determination to wind up voluntarily may only be made” and in sub-paragraph (b), for “passing of the resolution” substitute “making of the determination”.”.

5. In the entry relating to Article 107 of the 1989 Order (avoidance of property dispositions, etc.)(3), insert in the left hand column “paragraph (1)”.

6. In the entry relating to Article 6 of the 1989 Order (“insolvency” and “go into liquidation”)(4) insert at the end—

“paragraph (3)	For “resolution for voluntary winding up” substitute “determination to wind up voluntarily”.”.
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7. In the entry relating to Schedule A1 to the 1989 Order (moratorium where directors prepare voluntary arrangement)(5)—

(1) For the modification to paragraph 17, sub-paragraph (2) substitute—

“paragraph 17

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- (1) Articles 21, 22, 23, 24, 26 and 27 were substituted by Article 3(2) of, and Schedule B1 to, the Insolvency (Northern Ireland) Order 2005 (S.I. 2005/1455 (N.I. 10))
- (2) Article 70 was amended by Article 3(3) of, and paragraph 24 of Schedule 2 to the Insolvency (Northern Ireland) Order 2005 (S.I. 2005/1455 (N.I. 10))
- (3) Article 107 was amended by Article 3(3) of, and paragraph 26 of Schedule 2 to, the Insolvency (Northern Ireland) Order 2005.
- (4) Article 6 was amended by Article 3(3) of, and paragraph 20 of Schedule 2 to, the Insolvency (Northern Ireland) Order 2005
- (5) Schedule A1 was inserted by Article 3 of, and paragraph 5 of Schedule 1 to, the Insolvency (Northern Ireland) Order 2002 (S.I. 3125 (N.I. 6))

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sub-paragraph 2	In head (c) for “meetings of the company and” substitute “a meeting of”. For “directors” substitute “the designated members of the limited liability partnership”.
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(2) After the entry relating to paragraph 48, sub-paragraph (4)(b)(ii) insert—

“paragraph 48 sub-paragraph (5)	For “directors do” substitute “limited liability partnership does”.
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8. Before the entry relating to Schedule 1 to the 1989 Order (powers of the administrator or administrative receiver) insert—

“Schedule B1(administration)(6)

paragraph 3

sub-paragraph (c)	For “company or its directors” substitute “limited liability partnership”.
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paragraph 9

sub-paragraph(1)(a)	For “resolution for voluntary winding up” substitute “determination to wind up voluntarily”.
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paragraph 10

Omit.

paragraph 13

sub-paragraph (1)(b)

Omit.

paragraph 23

For sub-paragraph (1) substitute—
“(1) A limited liability partnership may appoint an administrator.”.

Omit sub-paragraph (2).

paragraph 24

sub-paragraph (1)(b)

Omit “or its directors”.

paragraph 43

sub-paragraph (2)

For “resolution may be passed for the winding up of” substitute “determination to wind up voluntarily may be made by”.

paragraph 62

For paragraph 62 substitute—
“62. The administrator has power to prevent any person from taking part in the management of the business of the limited liability partnership and to

(6) Schedule B1 was inserted by Article 3(2) of, and Schedule 1 to, the Insolvency (Northern Ireland) Order 2005

	appoint any person to be a manager of that business.”
paragraph 63	At the end add the following— “Paragraphs (3) and (4) of Article 78 shall apply for the purposes of this paragraph as they apply for the purposes of that Article.”
paragraph 84	
sub-paragraph (5)(b)	For “resolution for voluntary winding up” substitute “determination to wind up voluntarily”.
sub-paragraph (7)(b)	For “passing of the resolution for voluntary winding up” substitute “determination to wind up voluntarily”.
sub-paragraph (7)(e)	For “passing of the resolution for voluntary winding up” substitute “determination to wind up voluntarily.”
paragraph 88	
sub-paragraph (2)(b)	Insert at the end “or”.
sub-paragraph (2)(c)	Omit “or”.
sub-paragraph (2)(d)	Omit the words from “(d)” to “company”.
paragraph 90	
sub-paragraph (2)(b)	Insert at the end “or”.
sub-paragraph (2)(c)	Omit “, or”.
sub-paragraph (2)(d)	Omit the words from “(d)” to “company”.
paragraph 92	
sub-paragraph(1)(c)	Omit.
paragraph 95	Omit.
paragraph 96	For “to 95” substitute “and 94”.
paragraph 98	
sub-paragraph (1)(a)	Omit “or directors”.
paragraph 104	
sub-paragraph (5)	Omit.
paragraph 106	Omit.”.

9. In the entry relating to Schedule 7 to the 1989 Order (punishment of offences under this Order(7)—

(7) Schedule 7 was amended by Article 113 of, and Schedule 6 to, the Companies (No.2) (Northern Ireland) Order 1990 (S.I. 1990/1504 (N.I. 10)), by Articles 3, 4, and 5 of, and paragraph 55(12) of Schedule 1, paragraph 12 of Schedule 2 and paragraph 15 of Schedule 3 to, the Insolvency (Northern Ireland) Order 2002 (S.I. 2002/3152 (N.I. 6)) and by Articles 3, 25 and 31 of, and paragraph 47 of Schedule 2, paragraph 17 of Schedule 8 and Schedule 9 to, the Insolvency (Northern Ireland) Order 2005

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After the entry relating to Schedule A1 insert—

“Schedule B1, paragraph 28(4)	In the entry relating to Schedule B1, paragraph 28(4) omit “or directors”.
Schedule B1, paragraph 30(7)	In the entry relating to Schedule B1, paragraph 30(7) omit “or directors”.
Schedule B1, paragraph 33	In the entry relating to Schedule B1, paragraph 33 omit “or directors”.
