

## SCHEDULE

### PART 10

#### Other amendments: Northern Ireland

##### **The Pension Protection Fund (Entry Rules) Regulations (Northern Ireland) 2005**

**235.**—(1) The Pension Protection Fund (Entry Rules) Regulations (Northern Ireland) 2005(1) are amended as follows.

(2) In regulation 1—

(a) in paragraph (2) omit the definitions of “establishment” and “the Insolvency Regulation”, and

(b) omit paragraph (4A).

(3) In regulation 7—

(a) in paragraph (1) for “paragraphs (2), (4) and (5)” substitute “paragraphs (2) and (4)”, and

(b) omit paragraphs (5) and (6).

(4) In regulation 7A—

(a) in paragraph (2) for “paragraphs (3), (5) and (6)” substitute “paragraphs (3) and (5)”, and

(b) omit paragraphs (6) and (7).

##### **The Cross-Border Insolvency Regulations (Northern Ireland) 2007**

**236.** The Cross-Border Insolvency Regulations (Northern Ireland) 2007(2) are amended as follows.

**237.** Schedule 1 is amended as follows.

**238.** In article 1 in paragraph 3(b) omit “, other than the United Kingdom,”.

**239.** In article 2—

(a) in sub-paragraph (b) at the end of the definition of “the EU Insolvency Regulation” insert “as that Regulation forms part of domestic law on and after exit day”; and

(b) in sub-paragraph (k)—

(i) after “made by or under” insert “the EU Insolvency Regulation and”, and

(ii) after “or by or under that” insert “Regulation or”.

**240.** Omit article 3.

**241.** In article 16—

(a) after paragraph 2 insert—

“**2A.** Where the EU Insolvency Regulation applies the centre of the debtor’s main interests is to be determined in accordance with that Regulation.”;

(b) for paragraph 3 substitute—

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(1) [S.R. \(NI\) 2005 No.126](#); as amended by [S.R. \(NI\) 2005 No 364](#), [S.R. \(NI\) 2008 No 303](#), [S.R. \(NI\) 2009 No 245](#), [S.R. \(NI\) 2014 No 195](#) and paragraph 144 of the Schedule to [S.I. 2017/702](#).

(2) [S.R. \(NI\) 2007 No. 115](#); relevant amendments were made by paragraph 144 of the Schedule to [S.I. 2017/702](#).

“3. Subject to paragraph 2A, in the absence of proof to the contrary, the debtor’s registered office, or habitual residence in the case of an individual, is presumed to be the centre of the debtor’s main interests.”.

242. Schedule 2 is amended as follows.

243. In paragraph 1 in sub-paragraph (1) omit the definitions of “main proceedings”, “member State liquidator”, “secondary proceedings” and “territorial proceedings”.

244. In paragraph 4 omit sub-paragraph (2).

245. In paragraph 6 omit sub-paragraph (2)(b) and the “and” preceding it.

246. In paragraph 21 omit sub-paragraph (2)(e).

247. In paragraph 25 omit sub-paragraph (1)(e).

248. In paragraph 26 omit sub-paragraph (3)(c).

249. In paragraph 44 omit sub-paragraph (1)(f).

250. Omit paragraph 53.

251. Schedule 4 is amended as follows.

252. In Form ML6 omit paragraph 5 (statement of service on the member State liquidator).