

SCHEDULES

SCHEDULE 11

WINDING-UP PETITIONS: NORTHERN IRELAND

PART 2

RESTRICTION ON WINDING-UP PETITIONS AND ORDERS

Modification of Insolvency Rules

- 17 (1) This paragraph applies in relation to a petition which is presented by a creditor under Article 104 of the 1989 Order—
- (a) on or after the day on which this Schedule comes into force, but
 - (b) before the end of the relevant period.
- (2) Any provision of the 1991 Insolvency Rules which requires or permits (or authorises the High Court to require or permit) notice, publication or advertisement of the petition does not apply until such time as the High Court has made a determination in relation to the question of whether it is likely that the Court will be able to make an order under Article 102(f) or 185(4)(b) of the 1989 Order.
- (3) The 1991 Insolvency Rules have effect as if they required the petition to contain a statement that the petitioner considers that the condition described in paragraph 2(2) or (4) or 3(2) or (4) of this Schedule (as the case may be) is met.
- (4) The rights referred to in the following provisions of the 1991 Insolvency Rules are not exercisable without the permission of the High Court—
- (a) paragraph (1) of Rule 7.25 (right to inspect court record);
 - (b) paragraphs (1) to (3) of Rule 7.27 (right to inspect court file);
 - (c) paragraphs (1) and (2) of Rule 7.55 (right to copy of document in court file).