

SCHEDULE 1

CONSEQUENTIAL AMENDMENTS

Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N.I. 19))

115. In Part 15(1) of the Insolvency (Northern Ireland) Order 1989 (supplementary provisions), after Article 385 insert—

“Enforcement of company’s filing obligations

386.—(1) This Article applies where a company has made default in complying with any obligation under this Order—

- (a) to deliver a document to the registrar, or
- (b) to give notice to the registrar of any matter.

(2) The registrar, or any member or creditor of the company, may give notice to the company requiring it to comply with the obligation.

(3) If the company fails to make good the default within 14 days after service of the notice, the registrar, or any member or creditor of the company, may apply to the High Court for an order directing the company, and any specified officer of it, to make good the default within a specified time.

(4) The High Court’s order may provide that all costs of or incidental to the application are to be borne by the company or by any officers of it responsible for the default.

(5) This Article does not affect the operation of any enactment imposing penalties on a company or its officers in respect of any such default.

Application of filing obligations to overseas companies

387. The provisions of this Order requiring documents to be forwarded or delivered to, or filed with, the registrar apply in relation to an overseas company that is required to register particulars under section 1046 of the Companies Act 2006 as they apply in relation to a company registered under that Act in Northern Ireland.”

(1) Part 15 was inserted by S.I. 2008/948, Schedule 1, paragraph 171.