
STATUTORY RULES OF NORTHERN IRELAND

2020 No. 236 (C. 6)

INSOLVENCY

The Insolvency (Amendment) (2016 Act) (Commencement No. 2 and Saving Provision) Order (Northern Ireland) 2020

Made - - - - 3rd November 2020

The Department for the Economy⁽¹⁾ makes the following Order in exercise of the powers conferred by section 28(2) and (3) of the Insolvency (Amendment) Act (Northern Ireland) 2016⁽²⁾.

Citation and interpretation

1.—(1) This Order may be cited as the Insolvency (Amendment) (2016 Act) (Commencement No. 2 and Saving Provision) Order (Northern Ireland) 2020.

(2) In this Order—

“the Act” means the Insolvency (Amendment) Act (Northern Ireland) 2016;

“the Insolvency Order” means the Insolvency (Northern Ireland) Order 1989⁽³⁾.

Appointed day

2. The day appointed for the coming into operation of the following provisions of the Act is 4th November 2020.

(a) section 6 (fast-track voluntary arrangements: notification of the Department).

(b) section 12 (bankruptcy: early discharge)

(c) section 27(3) and Schedule 4 insofar as they relate to repeal of Article 253(2) of the Insolvency Order.

Saving provision

3. Despite the repeal of Article 253(2) of the Insolvency Order by section 12 of the Act, Article 253(2) continues to have effect in relation to a bankruptcy which commenced before 4th November 2020.

(1) The Department of Enterprise, Trade and Investment was renamed the Department for the Economy by section 1(3) of the Departments Act (Northern Ireland) 2016 (2016 c. 5 (N.I.))
(2) 2016 c. 2 (N.I.)
(3) S.I. 1989/2405 (N.I.19)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Sealed with the Official Seal of the Department for the Economy on 3rd November 2020

(L.S.)

Colin Jack
A senior officer of the Department for the
Economy

EXPLANATORY NOTE

(This note is not part of the Regulations)

This Order brings into operation certain provisions of the Insolvency (Amendment) Act (Northern Ireland) 2016 (“the Act”).

Article 2 commences section 6 of the Act which amends Article 237C of the Insolvency (Northern Ireland) Order 1989 (“the Insolvency Order”) by adding a requirement for the Official Receiver to notify the Department as well as report to the High Court whether a proposal by a bankrupt for a voluntary arrangement with the Official Receiver acting as nominee (a so-called “fast-track” voluntary arrangement) has been approved or rejected by the bankrupt’s creditors.

Article 2 also commences section 12 of the Act which repeals Article 253(2) of the Insolvency Order—the early discharge procedure.

Article 3 saves the provision in respect of a bankruptcy which commenced before 4 November 2020.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Insolvency (Amendment) Act (Northern Ireland) 2016 have been brought into operation by commencement order made before the date of this Order—

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Section 7	1st April 2016	2016 No.203 (C. 13)
Section 8	1st April 2016	2016 No.203 (C. 13)
Section 9	1st April 2016	2016 No.203 (C. 13)
Section 10	1st April 2016	2016 No.203 (C. 13)
Section 11	1st April 2016	2016 No.203 (C. 13)
Section 13	1st April 2016	2016 No.203 (C. 13)
Section 14	1st April 2016	2016 No.203 (C. 13)
Section 15	1st April 2016	2016 No.203 (C. 13)
Section 16	1st April 2016	2016 No.203 (C. 13)
Section 17	1st April 2016	2016 No.203 (C. 13)
Section 18	1st April 2016	2016 No.203 (C. 13)
Section 19	1st April 2016	2016 No.203 (C. 13)
Section 20	1st April 2016	2016 No.203 (C. 13)
Section 21	1st April 2016	2016 No.203 (C. 13)
Section 22	1st April 2016	2016 No.203 (C. 13)
Section 23	1st April 2016	2016 No.203 (C. 13)

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Section 24	1st April 2016	2016 No.203 (C. 13)
Section 25	1st April 2016	2016 No.203 (C. 13)
Schedule 1	1st April 2016	2016 No.203 (C. 13)
Schedule 2 (partially)	1st April 2016	2016 No.203 (C. 13)
Schedule 3 (partially)	1st April 2016	2016 No.203 (C. 13)
Schedule 4 (repeals, partially)	1st April 2016	2016 No.203 (C. 13)