STATUTORY RULES OF NORTHERN IRELAND

2016 No. 203 (C. 13)

INSOLVENCY

The Insolvency (Amendment) (2016 Act) (Commencement No. 1 and Transitional Provisions) Order (Northern Ireland) 2016

Made - - - - 30th March 2016

The Department of Enterprise, Trade and Investment(**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. 1 and Transitional Provisions) Order (Northern Ireland) 2016.

(2) In this Order "the Act" means the Insolvency (Amendment) Act (Northern Ireland) 2016.

Appointed Day

2. The day appointed for the coming into operation of the following provisions of the Act is 1st April 2016—

(a) section 7 (powers of liquidator exercisable with or without sanction in a winding up);

(b) section 8 (powers of trustee exercisable with or without sanction in a bankruptcy);

(c) section 9 (definition of debt);

(d) section 10 (treatment of liabilities relating to contracts of employment);

(e) section 11 (deeds of arrangement);

(f) section 13 (after-acquired property of bankrupt);

(g) section 14 (authorisation of insolvency practitioners);

(h) section 15 (regulatory objectives);

(i) section 16 (oversight of recognised professional bodies);

(j) section 17 (recognised professional bodies: revocation of recognition);

(**1**) Formerly the Department of Economic Development; see S.I. 1999/283 (N.I. 1), Article 3(5)
(**2**) 2016 c. 2 (N.I.)

(k) section 18 (court sanction of insolvency practitioners in public interest cases);

(l) section 19 (power for Department to obtain information);

(m) section 20 (compliance orders);

(n) section 21 (power to establish single regulator of insolvency practitioners);

(o) section 22 (regulations under section 21: designation of existing body);

(p) section 23 (power to make regulations);

(q) section 24 (company arrangement or administration provision to apply to a credit union);

(r) section 25 (disqualification from office: duty to consult the Lord Chief Justice);

(s) Schedule 1 (single regulator of insolvency practitioners: supplementary provision;

(t) In Schedule 2 (transitional provisions), paragraphs 4 to 16 and section 27(1) insofar as it relates to those paragraphs;

(u) In Schedule 3 (minor and consequential amendments) —

(i) paragraphs 1 to 15;

(ii) paragraphs 17 to 19; and

(iii) section 27(2) insofar as it relates to those paragraphs;

(v) In Schedule 4 (repeals)—

(i) The repeals made to the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985(**3**).

(ii) In the Insolvency (Northern Ireland) Order 1989(**4**),

(aa) Articles 2(2), 3(2)(b), 4(5)(a), 5(1), 9(1), 9(3), 14(2), 15(4), 17(2) 20(5), 31(10), 54(2D), 185(2), Part 8, Chapter 1, 234(3), 237D(6), 280, 343(1) 344, 348(1A), 348A, 351 to 354, and in Article 362(1)(a) the entries relating to Articles 21595) and 221(4);

(bb) Paragraphs 38(1), 41(2), 43(1), and 49(6) of Schedule A1;

(cc) Paragraph 100(6)(d) of Schedule B1, but not the "and " following it;

(dd) Paragraph (3) of Part 1 of Schedule 2;

(ee) Paragraphs (6) and (8) of Schedule 3;

(ff) Paragraph 15(b) of Schedule 4 and the preceding "and";

(gg) Paragraph (6) of Schedule 6 and the cross-heading preceding that paragraph;

(hh) Paragraphs 25(a) and (c) and 28 of Schedule 6

(ii) Schedule 7, the entry relating to Article 218(1);

(jj) Paragraph 17 of Schedule 8 and the cross-heading preceding that paragraph.

(iii) The repeals made to Article 28(1) of the Licensing (Northern Ireland) Order 1996(**5**)

(iv) In the Insolvency (Northern Ireland) Order 2002(**6**), Article 6(2) and (3).

(v) In the Pensions (Northern Ireland) Order 2005(**7**), Article 105(2)(c);

(vi) Section 27(3) insofar as it relates to the repeals made to the legislation listed in sub-paragraphs (i) to (v).

(**3**) S.I. 1985/1204 (N.I. 11)
(**4**) S.I. 1989/2405 (N.I. 19)
(**5**) S.I. 1996/3158 (N.I. 22)
(**6**) S.I. 2002/3152 (N.I. 6)
(**7**) S.I. 2005/255 (N.I. 1)