STATUTORY RULES OF NORTHERN IRELAND

2011 No. 390

INSOLVENCY

The Insolvency (Fees) (Amendment No. 2) Order (Northern Ireland) 2011

Made - - - -	*4th November 2011*
Affirmed by resolution of the Assembly on - - - -	*16th January 2012*
Coming into operation	*31st January 2012*

The Department of Enterprise, Trade and Investment (**1**), with the concurrence of the Department of Finance and Personnel, makes the following Order in exercise of the powers conferred by Article 361(1) and (3) of the Insolvency (Northern Ireland) Order 1989(**2**).

Citation and commencement

1. This Order may be cited as the Insolvency (Fees) (Amendment No. 2) Order (Northern Ireland) 2011 and comes into operation on 31st January 2012.

Amendment of the Insolvency (Fees) Order (Northern Ireland) 2006

2. Subject to article 6, the Insolvency (Fees) Order (Northern Ireland) 2006(**3**) is amended in accordance with articles 3, 4 and 5.

Fees payable to an insolvency practitioner appointed under Article 247

3. In article 5 for "£345" substitute "£450".

Reduction and refund of fees – individual voluntary arrangement following bankruptcy

4. In article 6 for "£462.50" substitute "£525".

(**1**) Formerly the Department of Economic Development; see Article 3(5) of the Departments (Northern Ireland) Order 1999 S.I. 1999/283 (N.I. 1).
(**2**) S.I.1989/2405 (N.I. 19); there are amendments to Article 361 which are not relevant to this Order.
(**3**) S.R. 2006 No. 54, as amended by S.R. 2009 No. 201 and S.R. 2011 No. 14.

Fees payable in connection with bankruptcies, debt relief orders, individual voluntary arrangements, deeds of arrangement and winding up

5. In Schedule 2, in paragraph 2, in the Table of Fees—

(a) in relation to the fee designated as B1, for "£925" substitute "£1,050";

(b) for the fee designated as B2 substitute—

"B2	**Bankruptcy - Department's administration fee applicable to bankruptcy orders made on or after 31st January 2012**	
	For the performance by the Department of its general duties under the insolvency legislation in relation to the administration of the estate of each bankrupt, there shall be payable a fee calculated in accordance with the following scale as a percentage of chargeable receipts relating to the bankruptcy (but ignoring that part of the chargeable receipts which exceeds the bankruptcy ceiling) at the rate of—	0% of the first £2,000 100% of the next £1,700 75% of the next £1,500 15% of the next £396,000 1% of the remainder, subject to a maximum of £80,000";

(c) in relation to the fee designated as W1, for "£1,615" substitute "£1,800";

(d) for the fee designated as W2 substitute—

"W2	**Winding up by the court - Department's administration fee applicable to winding up orders made on or after 31st January 2012**	
	For the performance by the Department of its general duties under the insolvency legislation in relation to the administration of the affairs of each company which is being wound up by the court, there shall be payable a fee calculated in accordance with the following scale as a percentage of chargeable receipts relating to the company at the rate of—	0% of the first £2,000 100% of the next £1,700 75% of the next £1,500 15% of the next £396,000 1% of the remainder, subject to a maximum of £80,000".

Transitional provisions

6.—(1) The amendments made by articles 3 to 5 apply as set out in paragraphs (2) to (4).

(2) The amendment made by article 3 only applies to reports submitted to the court in respect of debtors' petitions presented on or after 31st January 2012.

(3) The amendment made by article 4 only applies to petitions presented on or after 31st January 2012.