STATUTORY RULES OF NORTHERN IRELAND

2006 No. 53

INSOLVENCY

The Insolvency Practitioners and Insolvency Account (Fees) Order (Northern Ireland) 2006

Made - - - -	*16th February 2006*
Coming into operation	*27th March 2006*

The Department of Enterprise, Trade and Investment(**1**), in exercise of the powers conferred upon it by Article 361A(1), (2) and (3) of the Insolvency (Northern Ireland) Order 1989(**2**) and of every other power enabling it in that behalf, with the concurrence of the Department of Finance and Personnel, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Insolvency Practitioners and Insolvency Account (Fees) Order (Northern Ireland) 2006 and shall come into operation on 27th March 2006 ("the commencement date").

(2) In this order "the 1989 Order" means the Insolvency (Northern Ireland) Order 1989.

Fees payable in connection with the recognition of professional bodies pursuant to Article 350 of the 1989 Order

2.—(1) Every application by a body for recognition pursuant to Article 350 of the 1989 Order shall be accompanied by a fee of £4,500.

(2) On or before 31st May next following the commencement date and on or before 1st April in each subsequent year there shall be paid to the Department by each body recognised pursuant to Article 350 of the 1989 Order in respect of the maintenance of that body's recognition pursuant to Article 350 of the 1989 Order, a fee calculated by multiplying £50 by the number of persons who as at the preceding 1st January in that year were authorised to act as insolvency practitioners by virtue of membership of that body.

(3) Each body recognised pursuant to Article 350 of the 1989 Order shall within one month of the commencement date and on or before 31st January in each subsequent year submit to the

(**1**) Formerly the Department of Economic Development; *see*S.I. 1999/283 (N.I. 1), Article 3(5)
(**2**) S.I. 1989/2405 (N.I.19); Article 361A is inserted by Article 26 of the Insolvency (Northern Ireland) Order 2005 (S.I. 2005/1455 (N.I. 10))

Department a list of its members who as at 1st January in that year were authorised to act as insolvency practitioners by virtue of membership of that body.

Fees payable in connection with authorisations by the Department under Article 352 of the 1989 Order

3.—(1) Every person, who on the commencement date is the holder of an authorisation to act as an insolvency practitioner granted by the Department pursuant to Article 352 of the 1989 Order shall within 7 days of that date pay to the Department a fee in respect of the maintenance of that authorisation calculated in accordance with paragraph (2).

(2) The fee payable by virtue of paragraph (1) shall be calculated by multiplying the sum of £1,025, less the sum paid by the holder of the authorisation under Article 352 of the 1989 Order when he applied for his authorisation, by the number of days in the period starting with the commencement date and ending on 31st December 2006 and dividing the result by 365.

(3) Every application made to the Department pursuant to Article 351 of the 1989 Order for authorisation to act as an insolvency practitioner shall be accompanied by a fee of £1,025.

(4) Subject to paragraph (5), every person who holds an authorisation granted by the Department pursuant to Article 352 of the 1989 Order to act as an insolvency practitioner shall, on or before each anniversary of the granting of that authorisation when it is in force, pay to the Department in connection with the maintenance of that authorisation a fee of £1,025.

(5) Where on the relevant anniversary the authorisation mentioned in paragraph (4) has less than a year to run, the fee shall be calculated by multiplying £1,025 by the number of days that the authorisation has to run (starting with the day of the anniversary) and dividing the result by 365.

Fees payable in connection with the operation of the Insolvency Account

4. There shall be payable in connection with the operation of the Insolvency Account fees as provided for in the Schedule.

Value Added Tax

5. Where Value Added Tax is chargeable in respect of the provision of a service for which a fee is prescribed by any provision of this Order, there shall be payable in addition to that fee the amount of the Value Added Tax.

Sealed with the Official Seal of the Department of Enterprise, Trade and Investment on 16 February 2006

Michael J Bohill
A senior officer of the
Department of Enterprise, Trade and Investment

The Department of Finance and Personnel hereby concurs with the foregoing Order.
Sealed with the Official Seal of the Department of Finance and Personnel on 16 February 2006

Mary McIvor
A senior officer of the
Department of Finance and Personnel