STATUTORY RULES OF NORTHERN IRELAND

1996 No. 575

INSOLVENCY

The Deeds of Arrangement Regulations (Northern Ireland) 1996

Made - - - -	*10th December 1996*
Coming into operation	*31st January 1997*

The Department of Economic Development, in exercise of the powers conferred on it by Articles 212(*h*) and 222(1)(*a*) and (2) of the Insolvency (Northern Ireland) Order 1989(**1**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Deeds of Arrangement Regulations (Northern Ireland) 1996 and shall come into operation on 31st January 1997.

Interpretation and application

2.—(1) In these Regulations—

"debtor" means an individual by or for whom or in respect of whose affairs a deed of arrangement has been made or entered into and includes a partnership of individuals;

"the Order" means the Insolvency (Northern Ireland) Order 1989;

"trustee" means trustee under a deed of arrangement.

(2) In these Regulations—

(a) any reference to a numbered Article shall be construed as a reference to the Article bearing that number in the Order; and

(b) any reference to a numbered Form shall be construed as a reference to the Form bearing that number in the Schedule.

(3) Anything required to be sent to the Department under these Regulations shall be addressed to The Director, The Insolvency Service, Fermanagh House, Ormeau Avenue, Belfast, BT2 8NJ.

(4) These Regulations apply to proceedings under Chapter I of Part VIII of the Order where a deed of arrangement is or was registered on or after 1st October 1991.

(**1**) S.I. 1989/2405 (N.I. 19); *see* Article 2(2) for the definitions of "the Department", "prescribed" and "regulations".

Form of statement under Article 222(1)(a)

3. The statement to be sent to creditors pursuant to Article 222(1)(*a*) shall be in Form 1.

Accounts of receipts and payments

4.—(1) Subject to paragraph (5), every trustee shall every 6 months during his tenure of office send to the Department an account under each deed of arrangement of his receipts and payments as trustee.

(2) The account shall be in Form 2.

(3) Subject to paragraph (4), the trustee shall send the account in respect of the first 6 months within 30 days of the expiration of the period of 6 months from the date of the registration of the deed and the other accounts within 30 days of the expiration of every subsequent period of 6 months thereafter until he vacates office or until the estate has been finally wound up.

(4) After the trustee has vacated office, or has distributed a final dividend or final instalment of composition, or in any other case has completely fulfilled the trusts of the deed and his obligations, the trustee shall send to the Department an account of his receipts and payments in respect of the period since the date of the last account so sent or, if no account has been sent, an account of his receipts and payments in respect of the whole period of his office.

(5) Where a trustee has not since the beginning of his tenure of office, or since the last time that his account has been sent to the Department, as the case may be, received or paid any money under a deed he shall, at the time when he is required to send his account to the Department, send to the Department in Form 3 a certificate of no receipts or payments.

Partnership accounts

5. Where a deed of arrangement has been made by a firm of debtors in partnership, a distinct account of, or certificate of no receipts or payments in relation to, the joint estate and of each of the separate estates shall be sent to the Department under regulation 4.

Additional particulars to be recorded in the register

6. The additional particulars set out below are prescribed for the purposes of Article 212(*h*) (additional particulars to be recorded in the register in respect of each deed of arrangement presented for registration)—

(a) the number of the deed;

(b) the date of declaration by the trustee that a majority of creditors has assented to the deed;

(c) where, pursuant to Article 221, a majority of creditors dispense with the trustee giving security—

(i) the date of declaration of the dispensation, and

(ii) the date of certificate that the dispensation has been so given;

(d) in a case of avoidance of a deed—

(i) the date of any order of the High Court pursuant to Article 221(3), and

(ii) the date of any notice by the trustee pursuant to Article 217;

(e) in a case where a new trustee is appointed—

(i) the name and address of the new trustee,

(ii) by whom the trustee was appointed, and

(iii) the date of appointment.

Sealed with the Official Seal of the Department of Economic Development on 10th December 1996.

L.S.

A. L. Brown
Assistant Secretary

SCHEDULE Regulations 2(2), 3 and 4(2) and (5).

FORMS

FORM 1INSOLVENCY REGULATIONS (NORTHERN IRELAND) 1996**Statement of Accounts and Proceedings to be sent to Creditors Pursuant to Article 222(1)(a) of the Insolvency (Northern Ireland) Order 1989**

Regulation 3

In the matter of a deed of arrangement between (*a*) of

and his creditors, dated 19 , and registered under the Insolvency (Northern Ireland) Order 1989, on 19 .

Trustee of (*b*)

The accounts in Part I and Part II of this statement and the statement of proceedings in Part III cover the period 19 , to 19 .

Signature_____ Trustee

Dated _____ 19

NOTES

(*a*) Insert address and occupation.

(*b*) Insert address.

Where the trustee carries on a business, the trading account must be set out in Part II and the totals of receipts and payments on the trading account must alone be set out in Part I.

PART

STATEMENT

Date	*Receipts (nature and of whom received)*	*VAT*	*Total*