1983 No. 390

BANKRUPTCY

The Bankruptcy (Fees and Deposit) Regulations (Northern Ireland) 1983

Made	*1st December 1983*
Coming into operation . . .	*1st January 1984*

The Department of Economic Development in exercise of the powers conferred by Article 34(1) and (2) of the Bankruptcy Amendment (Northern Ireland) Order 1980(**a**) now vested in it(**b**) and of every other power enabling it in that behalf, with the concurrence of the Department of Finance and Personnel(**c**) as to fees and deposits hereby makes the following Regulations:

Citation and commencement

1. These regulations may be cited as the Bankruptcy (Fees and Deposit) Regulations (Northern Ireland) 1983 and shall come into operation on 1st January 1984.

Interpretation

2. In these regulations "the Order" means the Bankruptcy Amendment (Northern Ireland) Order 1980.

Fees payable

3.—(1) The fees to be taken in respect of the proceedings and matters specified in the second column of the Schedule shall be those specified in the third column of the Schedule.

(2) Where proceedings and matters specified in the second column of the Schedule attract Value Added Tax, the sums payable as fees in respect of those proceedings or matters shall be increased by 15 per cent.

Manner of payment

4. There shall be paid out of the funds standing to the credit of any estate in the Insolvency Account the amount of any fees payable under these regulations in respect of that estate.

Deposit

5.—(1) Subject to paragraph (2), the deposit to be made under the Bankruptcy Acts for the purpose of covering the costs to be incurred by the Official Assignee shall be—

(i) £50 in the administration of an arrangement; and

(ii) £90 in a bankruptcy or in the administration of a deceased insolvent's estate.

(**a**) S.I. 1980/561 (N.I. 4)
(**b**) By S.I. 1982/846 (N.I. 11) Art. 4
(**c**) Formerly the Department of Finance. *See* S.I. 1982/338 (N.I. 6) Art. 3

(2) Payment of a deposit shall not be required on a bankruptcy petition by a debtor upon the Official Assignee being satisfied that the debtor's assets which may be immediately or promptly realised are sufficient to produce the sum of £180 at least over and above the value of the articles excepted by section 298 of the Act of 1857 and issuing a certificate that the payment of a deposit has been dispensed with pursuant to these regulations.

Revocation

6.—(1) Subject to paragraph (2), the Official Assignee (Fees) Regulations (Northern Ireland) 1981(**a**) are hereby revoked.

(2) Where a bankrupt or arranging debtor has made an offer of composition before the coming into operation of these regulations the fees payable in such proceedings shall be assessed as if these regulations had not been made.

Sealed with the Official Seal of the Department of Economic Development for Northern Ireland on 1st December 1983.

(L.S.) *W. T. McCrory*
Assistant Secretary

The Department of Finance and Personnel hereby concurs with the foregoing Regulations.

Sealed with the Official Seal of the Department of Finance and Personnel for Northern Ireland on 1st December 1983.

(L.S.) *J. M. Dowdall*
Assistant Secretary

(a) S.R. 1981 No. 389