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STATUTORY INSTRUMENTS

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**1989 No. 2405**

**The Insolvency (Northern Ireland) Order 1989**

**<sup>F1</sup>PART V**

**WINDING UP OF COMPANIES REGISTERED  
UNDER THE COMPANIES ORDERS**

**CHAPTER VI**

**WINDING UP BY THE HIGH COURT**

*Commencement of winding up*

**Commencement of winding up by the High Court**

**109.**—(1 <sup>F1</sup> If, before the presentation of a petition for the winding up of a company by the High Court, a resolution has been passed by the company for voluntary winding up, the winding up of the company is deemed to have commenced at the time of the passing of the resolution; and unless the Court, on proof of fraud or mistake, directs otherwise, all proceedings taken in the voluntary winding up are deemed to have been validly taken.

<sup>F2</sup>(2) In any other case, the winding up of a company by the High Court is deemed to commence at the time of the presentation of the petition for winding up.

**F1** mod. by SR 2004/307

**F2** prosp. insertion by 2005 NI 10

**Status:**

Point in time view as at 01/01/2006. This version of this provision has been superseded.

**Changes to legislation:**

The Insolvency (Northern Ireland) Order 1989, Section 109 is up to date with all changes known to be in force on or before 29 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.