
STATUTORY INSTRUMENTS

1989 No. 2405

The Insolvency (Northern Ireland) Order 1989

PART II

COMPANY VOLUNTARY ARRANGEMENTS

Consideration and implementation of proposal

[^{F1}Approval of arrangement

17A.—(1) This Article applies to a decision, under Article 17, with respect to the approval of a proposed voluntary arrangement.

(2) ^{F2} The decision has effect if, in accordance with the rules—

- (a) it has been taken by both meetings summoned under Article 16, or
- (b) (subject to any order made under paragraph [^{F3}(6)]) it has been taken by the creditors' meeting summoned under that Article.

(3) ^{F2} If the decision taken by the creditors' meeting differs from that taken by the company meeting, a member of the company may apply to the High Court.

(4) ^{F2} An application under paragraph (3) shall not be made after the end of the period of 28 days beginning with—

- (a) the day on which the decision was taken by the creditors' meeting, or
- (b) where the decision of the company meeting was taken on a later day, that day.

(5) ^{F2} Where a member of a regulated company, [^{F4}as defined by Article 13H(13)], applies to the High Court under paragraph (3), the [^{F5}Financial Conduct Authority and, where the regulated company is a [^{F6}PRA-regulated company [^{F7}as defined by Article 13H(13)]], the Prudential Regulation Authority] is entitled to be heard on the application.

(6) ^{F2} On an application under paragraph (3), the High Court may—

- (a) order the decision of the company meeting to have effect instead of the decision of the creditors' meeting, or
- (b) make such other order as it thinks fit.]

F1 2002 NI 6

F2 mod. by SR 2004/307

F3 Word in art. 17A(2)(b) substituted (26.6.2020) by [Corporate Insolvency and Governance Act 2020](#) (c. 12), s. 49(1), [Sch. 7 para. 9\(2\)](#) (with ss. 2(2), 5(2))

F4 Words in art. 17A(5) substituted (26.6.2020) by [Corporate Insolvency and Governance Act 2020](#) (c. 12), s. 49(1), [Sch. 7 para. 9\(3\)\(a\)](#) (with ss. 2(2), 5(2))

F5 Words in art. 17A(5) substituted (1.4.2013) by [The Financial Services Act 2012 \(Consequential Amendments and Transitional Provisions\) Order 2013](#) (S.I. 2013/472), [Sch. 2 para. 7\(a\)](#)

Changes to legislation: *The Insolvency (Northern Ireland) Order 1989, Section 17A is up to date with all changes known to be in force on or before 12 June 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. (See end of Document for details) View outstanding changes*

- F6** Words in art. 17A(5) substituted (10.4.2013) by [The Financial Services Act 2012 \(Consequential Amendments and Transitional Provisions\) \(No. 2\) Order 2013 \(S.I. 2013/642\)](#), arts. 1, 2
- F7** Words in art. 17A(5) substituted (26.6.2020) by [Corporate Insolvency and Governance Act 2020 \(c. 12\)](#), s. 49(1), [Sch. 7 para. 9\(3\)\(b\)](#) (with ss. 2(2), 5(2))

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Changes and effects yet to be applied to :

- Instrument amended by [1998 c. 11 s. 23 Sch. 5 Pt.1 Ch. 3 para. 40](#)
- Instrument amended (prosp) by [S.I. 1994/279 \(N.I.\) art. 26\(1\)Sch. 2 para. 15](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 9 Pt. 2 para. 66 revoked by [1996 c. 23 s. 107\(2\)Sch. 4](#) (Amendment could not be applied. The relevant affected text is not available on [legislation.gov.uk](#))
- art. 2B inserted by [2016 c. 2 \(N.I.\) s. 2\(1\)](#)
- art. 208ZA applied (with modifications) by S.I. 2021/716, reg. 37A (as inserted) by [S.I. 2023/1399 reg. 12](#) (This amendment not applied to [Legislation.gov.uk](#). S. 208ZA is inserted by the Insolvency (Amendment) Act (Northern Ireland) 2016 (c. 2), s. 1(1) which is currently prospective.)
- art. 208ZA-208ZB inserted by [2016 c. 2 \(N.I.\) s. 1\(1\)](#)
- art. 208ZB applied (with modifications) by S.I. 2021/716, reg. 37A (as inserted) by [S.I. 2023/1399 reg. 12](#) (This amendment not applied to [Legislation.gov.uk](#). S. 208ZB is inserted by the Insolvency (Amendment) Act (Northern Ireland) 2016 (c. 2), s. 1(1) which is currently prospective.)
- art. 345A-345B inserted by [2016 c. 2 \(N.I.\) s. 1\(2\)](#)