
STATUTORY INSTRUMENTS

1989 No. 2405

The Insolvency (Northern Ireland) Order 1989

PARTS II TO VI COMPANY INSOLVENCY; COMPANIES WINDING UP

PART II

COMPANY VOLUNTARY ARRANGEMENTS

Consideration and implementation of proposal

Effect of approval

18.—(1) This Article has effect where each of the meetings summoned under Article 16 approves the proposed voluntary arrangement either with the same modifications or without modifications.

(2) The approved voluntary arrangement—

- (a) takes effect as if made by the company at the creditors' meeting, and
- (b) binds every person who in accordance with the rules had notice of, and was entitled to vote at, that meeting (whether or not he was present or represented at the meeting) as if he were a party to the voluntary arrangement.

(3) Subject to paragraph (4), if the company is being wound up or an administration order is in force, the High Court may do one or both of the following, namely—

- (a) by order stay all proceedings in the winding up or discharge the administration order;
- (b) give such directions with respect to the conduct of the winding up or the administration as it thinks appropriate for facilitating the implementation of the approved voluntary arrangement.

(4) The High Court shall not make an order under paragraph (3)(a)—

- (a) at any time before the expiration of 28 days from the day on which each of the reports required by Article 17(6) has been made to the Court, or
- (b) at any time when an application under Article 19 or an appeal in respect of such an application is pending, or at any time in the period within which such an appeal may be brought.