
STATUTORY INSTRUMENTS

1989 No. 2405

The Insolvency (Northern Ireland) Order 1989

PART XIII

PUBLIC ADMINISTRATION

Other order#making powers

[^{F1}Formerly authorised banks]

366.—[^{F2}(1) The Department may, by order subject to negative resolution, after consultation with the [^{F3}Financial Conduct Authority and the Prudential Regulation Authority] provide that specified provisions in [^{F4}Parts 1A to 7] shall apply with specified modifications in relation to any person who—

- (a) has a liability in respect of a deposit which he accepted in accordance with the Banking Act 1979 or 1987, but
 - (b) does not have permission under Part IV of the Financial Services and Markets Act 2000 (regulated activities) to accept deposits.
- (1A) Paragraph (1)(b) shall be construed in accordance with—
- (a) section 22 of the Financial Services and Markets Act 2000 (classes of regulated activity and categories of investment),
 - (b) any relevant order under that section, and
 - (c) Schedule 2 to that Act (regulated activities).]
- (2) ^{F5}

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| F1 | SI 2004/355 |
| F2 | Art. 366(1)(1A) substituted (27.3.2006) for art. 366(1) by Insolvency (Northern Ireland) Order 2005 (S.I. 2005/1455 (N.I. 10)) , arts. 1(3), 3(3), Sch. 2 para. 43(2) (with art. 4); S.R. 2006/21, art. 2 (with S.R. 2006/22, arts. 2 - 7) |
| F3 | Words in art. 366 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(b) |
| F4 | Words in art. 366(1) substituted (26.6.2020) by Corporate Insolvency and Governance Act 2020 (c. 12) , s. 49(1), Sch. 7 para. 2 (with ss. 2(2), 5(2)) |
| F5 | Art. 366(2) repealed (27.3.2006) by Insolvency (Northern Ireland) Order 2005 (S.I. 2005/1455 (N.I. 10)) , arts. 1(3), 3(3), 31, Sch. 2 para. 43(3), Sch. 9 (with art. 4); S.R. 2006/21, art. 2 (with S.R. 2006/22, arts. 2 - 7) |

Changes to legislation:

The Insolvency (Northern Ireland) Order 1989, Section 366 is up to date with all changes known to be in force on or before 10 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.

[View outstanding changes](#)

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\(2\)](#)