

STATUTORY INSTRUMENTS

1989 No. 2405

The Insolvency (Northern Ireland) Order 1989

^{F1}PART XIV

MISCELLANEOUS

Disqualifications, reviews and reports

^{F1}Northern Ireland Assembly disqualification

370 ^{F2}—(1) Where the High Court adjudges an individual bankrupt, the individual is disqualified—

- (a) for being elected to, or sitting or voting in, the Northern Ireland Assembly, and
- (b) for sitting or voting in a committee of the Northern Ireland Assembly.

(2) Where an individual is disqualified under this Article, the disqualification ceases—

- (a) except where the adjudication is annulled, on the discharge of the individual, and
- (b) in the excepted case, on the annulment.

(3) Where a member of the Northern Ireland Assembly who is disqualified under this Article continues to be so disqualified until the expiration of 6 months from the day of the adjudication, his seat shall be vacated at the end of that period.

(4) Where the High Court makes an adjudication such as is mentioned in paragraph (1) in relation to any member of the Northern Ireland Assembly, the Court shall forthwith certify the adjudication or award to the presiding officer of the Assembly.

(5) Where the High Court has certified an adjudication to the presiding officer of the Northern Ireland Assembly under paragraph (4), then immediately after it becomes apparent which of the following certificates is applicable, the Court shall certify to the presiding officer of the Assembly—

- (a) that the 6 months from the day of the adjudication has expired without the adjudication having been annulled, or
- (b) that the adjudication has been annulled before the end of that period.

(6) Subject to the preceding provisions of this Article, so much of this Order and any other statutory provision (whenever passed) and of any subordinate legislation (whenever made) as—

- (a) makes provision for or in connection with bankruptcy in Northern Ireland, or
- (b) makes provision conferring a power of arrest in connection with the winding up or insolvency of companies in Northern Ireland,

applies in relation to persons having privilege of the Northern Ireland Assembly as it applies in relation to persons not having such privilege.

Status: Point in time view as at 01/01/2006. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: The Insolvency (Northern Ireland) Order 1989, Cross Heading: Disqualifications, reviews and reports is up to date with all changes known to be in force on or before 08 August 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)

F2 mod. by SR 2004/307

VALID FROM 27/03/2006

[^{F3}Irrelevance of privilege

370A. A statutory provision about insolvency applies in relation to a member of the Assembly irrespective of any privilege of the Assembly.]

F3 Arts. 370 - 370A substituted (27.3.2006) for art. 370 by [Insolvency \(Northern Ireland\) Order 2005 \(S.I. 2005/1455 \(N.I. 10\)\)](#), arts. 1(3), 22 (with art. 4); S.R. 2006/21, **art. 2** (with S.R. 2006/22, **arts. 2 - 7**)

Review, etc., by High Court of its orders

371. The High Court may review, rescind or vary any order made by it in the exercise of the jurisdiction under this Order.

Annual report

372. The Department shall cause an annual general report of matters for which it and its officers, including the official receiver, are responsible under this Order to be prepared and laid before the Assembly.

Status:

Point in time view as at 01/01/2006. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation:

The Insolvency (Northern Ireland) Order 1989, Cross Heading: Disqualifications, reviews and reports is up to date with all changes known to be in force on or before 08 August 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.