

SCHEDULE

Article 3

AMENDED FORMS

THE ADMINISTRATION OF INSOLVENT ESTATES OF DECEASED PERSONS ORDER (NORTHERN IRELAND) 1991

FORM 1 CREDITOR'S PETITION FOR INSOLVENCY ADMINISTRATION ORDER In the High Court of Justice in Northern Ireland Chancery Division (Bankruptcy)

1. (a) Name and short description (including any relevant details) of deceased debtor. **Re***

1(b) I/We (a) _____

 petition the court that an order be made for the administration of the insolvent estate in bankruptcy of the late

1(b) I/We fill in the first few lines of the petition of deceased debtor. **(b)**

1(c) I/We fill in any other names by which the deceased debtor was known. **[also known as (c)]** |

1(d) I/We fill in address(es) at which the deceased debtor has resided at or after the time the petition was made. **[and lately residing at (d)]** _____ |

1(e) I/We fill in the name (adding "with another or others" if appropriate) and nature of business carried on by the deceased debtor at or after the time the petition was made. **[and lately carrying on business as (e)]** _____ |

1(f) I/We fill in date of death. **who died on (f)**

and say as follows: -

1(g) Delete as applicable. **1. (g) The deceased debtor's centre of main interests, being the place where he/she conducted the administration of his/her interests, was located within the United Kingdom, at**

OR

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

The deceased debtor's centre of main interests was located outside the United Kingdom but within the European Union and he/she had an establishment as defined by EC Regulation No. 1346/2000 within Northern Ireland at

OR

The deceased debtor's centre of main interests was located outside the European Union.

OR

The deceased debtor carried on business as an insolated undertaking; a credit institution; investment undertaking providing services involving the holding of funds or securities for third parties; or a collective investment undertaking as referred to in art 1.2 of the EC Regulation.

2. (g) The proceedings will be main OR secondary OR territorial proceedings for the purposes of the EC Regulation.

OR

The proceedings do not fall within the EC Regulations.

Under the EC Regulation:

- (i) The centre of main interests should correspond to the place where the debtor conducts the administration of his interests on a regular basis.
- (ii) Establishment is defined as "any place of operations where the debtor carries out a non-transitory economic activity with human means and goods".

1(c) Give the amount of this debt(s), what they relate to and when they were incurred. Show separately the amount of each interest or other charge, not previously notified to the deceased debtor and the reasons why you made a claim.

3. The estate of the deceased debtor is justly and truly indebted to me [us] in the aggregate sum of £(h) _____

1(d) State date payable or "summed up" if this is so.

4. The above-mentioned debt is /or a liquidated sum payable (j) and the estate of the deceased debtor is according to my/our information and belief insufficient to pay his debts.

5. I/We do not, nor does any person on my/our behalf, hold any security on the deceased debtor's estate, or any part thereof, for the payment of the above-mentioned sum.

OR

I/We hold security for the payment of (g) [part of] the above mentioned sum.

I/We will give (r) such security for the benefit of all the creditors in the event of an insolvency administration order being made.

OR

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I/We hold security for the payment of part of the above-mentioned sum and I/we estimate the value of such security to be £ _____. This petition is not made in respect of the secured part of my/our debt.

(j) The above petition is proved by (l) _____
(m) _____
(n) _____

6. The will of the deceased debtor was on (k) _____
proved by (l) _____

OR

(o) _____
(p) _____
(q) _____

The letters of administration of his estate were on (m) _____
Granted to (n) _____

Endorsement

This petition having been presented to the High Court, on _____
and filed on _____ at _____
and/or it is ordered that the petition shall be

heard as follows: -

Date _____

Time _____ Hours

Place _____
and you, to) _____

are to take notice that if you intend to oppose the petition you must not later than 7 days before the date fixed for the hearing:

- (i) file in the High Court a notice specifying the grounds on which you object to the making of an insolvency administration order; and
- (ii) send a copy of the notice to the petitioner or his solicitor.

The solicitor to the petitioning creditor is-(p)

Name _____

Address _____

Telephone Number _____

Fax Number (if any) _____

Reference _____

(r) _____
(s) _____

(t) _____
(u) _____

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THE ADMINISTRATION OF INSOLVENT ESTATES OF DECEASED PERSONS ORDER (NORTHERN IRELAND) 1991

FORM 2 PETITION FOR INSOLVENCY ADMINISTRATION ORDER BY SUPERVISOR OF VOLUNTARY ARRANGEMENT OR PERSON BOUND BY IT In the High Court of Justice in Northern Ireland Chancery Division (Bankruptcy)

* Insert name and short description, including any accountancy name, of deceased debtor. R13*

(1) Name, full name(s) and address(es) of petitioner I/Ws (a)

petition the court that an order be made for the administration of the insolvent estate in bankruptcy of the late

(2) Name, full name, and former occupation of deceased debtor (b)

(3) Name of full or other accountancy firm to whom the debt and debts were shown [also known as (c)]

(4) Address and business of creditor in the deceased debtor was located at or after the time the petition debt was incurred [and lately residing at (d)]

(5) Address, trading name (including, if applicable, of sole trader), firm name, business address(es) and nature of businesses carried on by the deceased debtor at or after the time the petition debt was incurred [and lately carrying on business as (e)]

and say as follows.

(6) To be said applicable 1. (f) The deceased debtor's centre of main interests, being the place where he/she conducted the administration of his/her interests, was located within the United Kingdom, at

OR

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The deceased debtor's centre of main interests was located outside the United Kingdom but within the European Union and he/she had an establishment as defined by EC Regulation No. 1346/2000 within Northern Ireland at

OR

The deceased debtor's centre of main interests was located outside the European Union.

OR

The deceased debtor carried on business as an insurance undertaking; a credit institution; investment undertaking providing services involving the holding of funds or securities for third parties; or a collective investment undertaking as referred to in Article 1(2) of the EC Regulation.

2. (i) The proceedings will be main OR secondary OR territorial proceedings for the purposes of the EC Regulation.

OR

The proceedings do not fall within the EC Regulations.

Under the EC Regulation:

(i) The centre of main interests should correspond to the place where the debtor conducts the administration of his interests on a regular basis.

(ii) Establishment is defined as "any place of operations where the debtor carries out a non-transitory economic activity with human means and goods".

(a) Insert date the
wills and order of
voluntary arrangement

3. Or: (g) _____
& voluntary arrangement proposed by the deceased debtor was approved by his creditors and I am (l) [a person who is for the time being bound by the said voluntary arrangement and (h) _____
is the supervisor] (h) _____
the supervisor of the said voluntary arrangement].

(b) Insert name of
supervisor

(c) Insert date of death.

4. The deceased debtor died on (j) _____

(d) Insert date will proved

5. The will of the deceased debtor was on (k) _____
proved by (l) _____

(e) Insert full names and
addresses of persons
providing

OR

(f) Insert date letters of
administration were
granted

The letters of administration of his estate were on (m) _____

(g) Insert full names and
addresses of persons
letters of
administration
granted to

granted to (n) _____

6. The estate of the deceased debtor is according to my/our information and belief insufficient to pay his debts.

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Endorsement

This petition having been presented to the High Court on _____
and filed on _____ at _____
and it is ordered that the petition shall be
heard as follows: -

Date _____

Time _____ Hours

Place _____

and you to _____

are to take notice that if you intend to oppose the petition you must not later than 7 days before the date fixed for the hearing:

(i) file in the High Court a notice specifying the grounds on which you object to the making of an insolvency administration order; and

(ii) send a copy of the notice to the petitioner or his solicitor.

The solicitor to the petitioning creditor is: -(p)

Name _____

Address _____

Telephone Number _____

Fax Number (if any) _____

Reference _____

(1) insert full names and addresses of parties given notice

(2) Only to be completed where the petitioning creditor is represented by a solicitor

THE ADMINISTRATION OF INSOLVENT ESTATES OF
DECEASED PERSONS ORDER (NORTHERN IRELAND) 1991
FORM 3INSOLVENCY ADMINISTRATION ORDERIn the High Court of Justice in Northern Ireland
Chancery Division (Bankruptcy)

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(11111)

(a) Insert full name of petitioner. Upon the petition of (a) _____

(b) Insert date of petition. Date (b) _____

And upon hearing

And upon reading the evidence _____

(c) Insert full name of deceased debtor. It is ordered that the estate of (c) _____

(d) Insert residential address of deceased debtor at date of death. Formerly of (e) _____

(f) Insert in any order in which proceedings were commenced. who died insolvent, be administered in bankruptcy and that the costs of this application be (e)

(g) Delete as appropriate. And the Court being satisfied that the EC Regulation (f) does/does not apply (f) and (g) insert whether main proceedings are (g) proceedings as defined in Article 3 of the EC Regulation

THE ADMINISTRATION OF INSOLVENT ESTATES OF DECEASED PERSONS ORDER (NORTHERN IRELAND) 1991

FORM 4INSOLVENCY ADMINISTRATION ORDER ON TRANSFER OF PROCEEDINGSIn the High Court of Justice in Northern Ireland Chancery Division (Bankruptcy)

In the High Court of Justice in Northern Ireland Chancery Division (Bankruptcy)

(a) Insert name and short description, including any relevant details of deceased debtor. Re^o

(b) Insert full name of deceased debtor. Proceedings for the administration of the estate of the late (a) _____ having been commenced in

(c) Insert name of court in which proceedings commenced. (b) _____ Court on (c) _____

(d) Insert date. And whereas the Court did on (c) _____ Transfer such proceedings to this Court.

It is ordered that the estate of (a) _____ who died insolvent, be administered in bankruptcy.

(e) Delete as appropriate. And the Court being satisfied on that the EC Regulation (d) does/does not apply (d) and (e) insert whether main proceedings are (e) proceedings as defined in Article 3 of the EC Regulation

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THE ADMINISTRATION OF INSOLVENT ESTATES OF DECEASED PERSONS ORDER (NORTHERN IRELAND) 1991

FORM 5 PETITION BY PERSONAL REPRESENTATIVE FOR INSOLVENCY ADMINISTRATION ORDER In the High Court of Justice in Northern Ireland Chancery Division (Bankruptcy)

* Insert name and short description, including signature and name of deceased debtor. Re^o

(a) Insert full name and full address of petitioner(s) I/We (a)

(b) Insert full name and full address of deceased debtor (b)

(c) Insert full name of other name(s) by which the deceased debtor was known (also known as (c))

(d) Insert any addresses at which the deceased debtor has resided or after the time his written debt was incurred (and lately residing at (d))

(e) Insert any name trading "with or under or on behalf of" (if it was a business address) or name of business, carried on by the deceased debtor, at or after the time the written debt was incurred (and lately carrying on business as (e))

(f) Insert date of death who died on (f) and say as follows: -

(g) Delete as applicable I, (g) I am/We are the personal representative(s) of the deceased debtor and his will was on

(h) Insert date of probate (h)

(i) Insert full name and address of parties proving will proved by (i) (X)

(k) Insert date letters of administration granted on (k) The letters of administration of his estate were

(l) Insert full names and addresses of parties proving will granted to (l)

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2. (g) The deceased debtor's centre of main interests, being the place where he/she conducted the administration of his/her interests, was located within the United Kingdom, at

OR

the deceased debtor's centre of main interests was located outside the United Kingdom but within the European Union and he/she had an establishment as defined by EC Regulation No. 1346/2000 within Northern Ireland at

OR

The deceased debtor's centre of main interests was located outside the European Union.

OR

the deceased debtor carried on business as an insurance undertaking; a credit institution; investment undertaking providing services involving the holding of funds or securities for third parties; or a collective investment undertaking as referred to in Article 1(2) of the EC Regulation.

3. (f) The proceedings will be main OR secondary OR territorial for the purposes of the EC Regulation

OR

The proceedings do not fall within the EC Regulation.

Under the EC Regulation:

- (i) The centre of main interests should correspond to the place where the debtor conducts the administration of his interests on a regular basis.
- (ii) Establishment is defined as "any place of operations where the debtor carries out a non-transitory economic activity with human means and goods".

4. The estate of the deceased debtor is according to my/our information and belief insufficient to pay his debts.