
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 358

The Insolvent Companies (Disqualification of Unfit Directors) Proceedings Rules (Northern Ireland) 2003

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Insolvent Companies (Disqualification of Unfit Directors) Proceedings Rules (Northern Ireland) 2003 and shall come into operation on 5th September 2003.

(2) In these Rules –

- (a) “the Companies Order” means the Companies (Northern Ireland) Order 1986⁽¹⁾;
- (b) “the Company Directors Disqualification Order” means the Company Directors Disqualification (Northern Ireland) Order 2002;
- (c) “the court” means the High Court of Justice in Northern Ireland (Chancery Division);
- (d) “the Department” means the Department of Enterprise, Trade and Investment;
- (e) “file in court” means deliver to the Bankruptcy and Companies Office for filing;
- (f) “the former Rules” means the Insolvent Companies (Disqualification of Unfit Directors) Proceedings Rules (Northern Ireland) 1991⁽²⁾;
- (g) “the Judge” means the Chancery Judge or any Judge of the High Court or of the Court of Appeal for the time being acting as Chancery Judge;
- (h) “the Master” means the Master (Bankruptcy); and
- (i) “Supreme Court Rules” means the Rules of the Supreme Court (Northern Ireland) 1980⁽³⁾.

(3) These Rules apply with respect to an application for a disqualification order against any person (“the respondent”), where made –

- (a) by the Department or the official receiver under Article 10(1) of the Company Directors Disqualification Order (on the grounds of the person’s unfitness to be concerned in the management of a company), or
- (b) by the Department under Article 11 of that Order (alleged to be expedient in the public interest, following investigation of company),

on or after the date on which these Rules come into operation.

(1) S.I.1986/1032 (N.I. 6)

(2) S.R. 1991 No. 367 as amended by S.R. 1996 No. 471

(3) S.I. 1980 No. 346; the relevant amending instruments are S.R. 1981 No. 224, S.R. 1983 No. 5, S.R. 1983 No. 114, S.R. 1991 No. 232 and S.R. 1993 No. 143