

SCHEDULE 3

Regulation 13

Records to be Maintained-Minimum Requirements

Details of the insolvency practitioner acting in the case

1. The name of the insolvency practitioner acting in the case.
2. The identifying number or reference issued to the insolvency practitioner by a competent authority or any body recognised under Article 350 of the Order.
3. The principal business address of the insolvency practitioner.
4. The name of—
 - (a) any body by virtue of whose rules the insolvency practitioner is entitled to practise; or
 - (b) any competent authority by whom the insolvency practitioner is authorised.

Details of the insolvent

5. The name of the person in respect of whom the insolvency practitioner is acting.
6. The type of the insolvency proceedings.

Progress of administration

7. As regards the progress of the administration of the case the following details if applicable—
 - (a) the date of commencement of the proceedings;
 - (b) the date of appointment of the insolvency practitioner;
 - (c) the date on which the appointment was notified to the Registrar of Companies;
 - (d) the date on which the statutory declaration that the requisite majority of creditors of a debtor have consented to a deed of arrangement was filed.

Bonding arrangements in the case

8. As regards the arrangements for security in the case—
 - (a) the date of submission of the cover schedule which has the details of the specific penalty sum applicable in the case;
 - (b) the amount of the specific penalty sum;
 - (c) the name of the surety;
 - (d) the date of submission to surety of a cover schedule with any increase in the amount of the specific penalty sum;
 - (e) the amount of any revised specific penalty sum; and
 - (f) the date of submission to the surety of details of termination of the office held by the insolvency practitioner.

Matters relating to remuneration

9. As regards the remuneration of the insolvency practitioner—
 - (a) the basis on which the remuneration of the insolvency practitioner is to be calculated; and
 - (b) the date and content of any resolution of creditors in relation to the remuneration of the insolvency practitioner.

Status: This is the original version (as it was originally made).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

Meetings (other than any final meeting of creditors)

10. The dates of—
- (a) the meeting of members;
 - (b) the date of first meeting of creditors—
 - (i) to consider an administrator’s proposals;
 - (ii) to consider an administrative receiver’s report;
 - (iii) in liquidation or bankruptcy; or
 - (iv) to consider a voluntary arrangement proposal; and
 - (c) the dates and purposes of any subsequent meetings.

Disqualification of Directors

11. As regards the insolvency practitioner’s duties under Article 10 of the Company Directors Disqualification (Northern Ireland) Order 2002(1) to report the conduct of directors—

- (a) the date a return under Article 10 is due;
- (b) the date a return is submitted to the Department;
- (c) the date a conduct report is submitted to the Department; and
- (d) the date on which any further reports are submitted to the Department.

Vacation of office etc

12. The following details regarding the completion of the case—
- (a) the date of the final notice to, or meeting of, creditors;
 - (b) the date that the insolvency practitioner vacates office; and
 - (c) the date of release or discharge of the insolvency practitioner (or if there is no final meeting of creditors, the date of the final return of receipts and payments to the Department).

Distributions to creditors etc.

13. As regards distributions—
- (a) in relation to each payment to preferential or preferred creditors—
 - (i) the name of the person to whom the payment was made;
 - (ii) the date of the payment;
 - (iii) the amount of the payment;
 - (b) in relation to each payment to unsecured creditors—
 - (i) the name of the person to whom the payment was made;
 - (ii) the date of the payment;
 - (iii) the amount of the payment; and
 - (c) in relation to each return of capital—
 - (i) the name of the person to whom the return of capital was made;
 - (ii) the date of the payment; and
 - (iii) the amount of capital returned or the value of any assets returned.

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Statutory Returns

14. As regards any returns or accounts to be made to the Department or the Registrar of Companies—

- (a) as regards each interim return or abstract of receipts and payments—
 - (i) the date the return or abstract is due;
 - (ii) the date on which the return is filed; and
- (b) as regards any final return or abstract of receipts and payments—
 - (i) the date that the return or abstract is due; and
 - (ii) the date on which the return is filed.

Time recording

15. Records of the amount of time spent on the case by the insolvency practitioner and any persons assigned to assist in the administration of the case.