

2009 No. 402

INSOLVENCY

**The Insolvency Practitioners and Insolvency Account (Fees)
(Amendment) (No. 2) Order (Northern Ireland) 2009**

Made - - - - - *4th December 2009*

Coming into operation - - - - - *28th December 2009*

The Department of Enterprise, Trade and Investment(a), in exercise of the powers conferred upon it by Article 361A of the Insolvency (Northern Ireland) Order 1989(b) makes the following Order in concurrence with the Department of Finance and Personnel.

Citation and commencement

1. This Order may be cited as the Insolvency Practitioners and Insolvency Account (Fees) (Amendment) (No.2) Order (Northern Ireland) 2009 and shall come into operation on 28th December 2009.

Amendment to the Insolvency Practitioners and Insolvency Account (Fees) Order (Northern Ireland) 2006

2.—(1) The Insolvency Practitioners and Insolvency Account (Fees) Order (Northern Ireland) 2006(c) (“the principal Order”) shall be amended as provided by paragraphs (2), (3) and (4).

(2) In Article 3(3) for “£1,025” substitute—

“£850, in connection with the grant of the application.

(3A) Where the application is granted, the individual to whom authorisation has been granted shall pay to the Department as soon as reasonably practicable a fee of £1,550 in connection with the maintenance of the authorisation for the period of 12 months commencing with the date of the grant of the authorisation.”.

(3) In Article 3(4) for “£1,025” substitute “£2,400”.

(4) In Article 3(5) for “£1,025” substitute “£2,400”.

Transitional provisions

3. Paragraph (2) of Article 2 does not apply to an application made under Article 351 of the Insolvency (Northern Ireland) Order 1989 or granted under Article 352 of that Order before this Order comes into operation.

(a) Formerly the Department of Economic Development, see the Departments (Northern Ireland) Order 1999 (S.I. 1999/283 (N.I. 1)), Article 3(5)

(b) S.I. 1989/2405 (N.I. 19); Article 361A is inserted by Article 26 of the Insolvency (Northern Ireland) Order 2005 (S.I.2005/1455 (N.I. 10)).

(c) S.R. 2006 No. 53, as amended by S.R. 2009 No. 204

Sealed with the Official Seal of the Department of Enterprise, Trade and Investment on 4th December 2009.



Michael J Bohill
A senior officer of the
Department of Enterprise, Trade and Investment

The Department of Finance and Personnel concurs with the foregoing Order.

Sealed with the Official Seal of the Department of Finance and Personnel on 4th December 2009.



Adrian Arbuthnot
A senior officer of the
Department of Finance and Personnel

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends Article 3 of the Insolvency Practitioners and Insolvency Account (Fees) Order (Northern Ireland) 2006 (S.R. 2006/53) (“the principal Order”).

This Order introduces separate fees for—

- (a) the processing of new applications for authorisation to act as an insolvency practitioner; and
- (b) the administration costs of the maintenance of each authorisation.

A Regulatory Impact Assessment (RIA) has not been prepared for this Order. An RIA was prepared for the Insolvency (Northern Ireland) Order 2005 which deals with the restructuring of the system for insolvency fees. Copies of this are available from the Legislation Unit, The Insolvency Service, Fermanagh House, 20A Ormeau Avenue, Belfast BT2 8NJ.

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