STATUTORY RULES OF NORTHERN IRELAND

2003 No. 144

INSOLVENCY

The Insolvent Partnerships (Amendment) Order (Northern Ireland) 2003

Made - - - - 3rd March 2003

To be laid before Parliament

Coming into operation 1st April 2003

The Lord Chancellor, in exercise of the powers conferred upon him by Article 364(1) of the Insolvency (Northern Ireland) Order 1989(1), and of all other powers enabling him in that behalf, with the concurrence of the Department of Enterprise, Trade and Investment(2), hereby makes the following Order:

Citation, commencement and interpretation

- 1.—(1) This Order may be cited as the Insolvent Partnerships (Amendment) Order (Northern Ireland) 2003 and shall come into operation 1st April 2003.
 - (2) In this Order
 - "the Order" means the Insolvency (Northern Ireland) Order 1989, and
 - "the 1995 Order" means the Insolvent Partnerships Order (Northern Ireland) 1995(3).
- (3) In this Order a reference to a "modified Article" means an Article of the Order as modified by, and set out in, the 1995 Order.

Amendments to the Insolvent Partnerships Order (Northern Ireland) 1995

- **2.**—(1) The 1995 Order is amended as provided in this Order.
- (2) Anything done before 1st April 2003 under or for the purposes of any provision of the 1995 Order is not invalidated by the amendment of that provision by this Order, but it has effect as if done under or for the purposes of the provision as amended.

⁽¹⁾ S.I. 1989/2405 (N.I. 19) – to which the most recent relevant amendments were made by S.R. 2002 No. 223

⁽²⁾ Formerly the Department of Economic Development; seeS.I. 1999/283 (N.I. 1)

⁽³⁾ S.R. 1995 No. 225 as amended by S.R. 1996 No. 472

Amendment to Article 7 of the Insolvent Partnerships Order (Northern Ireland) 1995

3. In Article 7(1) of the 1995 Order (winding up of insolvent partnership as unregistered company (no concurrent petition)) after "petition of a creditor," insert –

"of a liquidator (within the meaning of Article 2(b) of the EC Regulation(4)) appointed in proceedings by virtue of Article 3(1) of the EC Regulation, of a temporary administrator (within the meaning of Article 38 of the EC Regulation),".

Amendment to Article 8 of the Insolvent Partnerships Order (Northern Ireland) 1995

4.—(1) In Article 8(1) of the 1995 Order (winding up of insolvent partnership as unregistered company (concurrent petition)) for a "creditor's petition" substitute –

"the petition of a creditor, of a liquidator (within the meaning of Article 2(b) of the EC Regulation) appointed in proceedings by virtue of Article 3(1) of the EC Regulation, or of a temporary administrator (within the meaning of Article 38 of the EC Regulation)".

(2) For the heading of Article 8 of the 1995 Order substitute –

"Winding up of insolvent partnership as unregistered company on the petition of creditor etc., where concurrent petitions presented against one or more members".

Amendments to Schedules 3, 4, 5 and 6 to the Insolvent Partnerships Order (Northern Ireland) 1995

- **5.**—(1) In paragraph 3 of Schedule 3 to the 1995 Order (Article 185: Winding up of unregistered companies), paragraph 3 of Schedule 4 to the 1995 Order. Schedule 5 to the 1995 Order and paragraph 3 of Schedule 6 to the 1995 Order, in each case, after modified Article 185(3) and before Article 185(4) insert
 - "(3A) The preceding paragraphs are subject to Article 3 of the EC Regulation (jurisdiction under the EC Regulation).".
- (2) In paragraph 8 of Schedule 4 to the 1995 Order (Articles 104 and 238: Applications to wind up insolvent partnership and to wind up or bankrupt member) in paragraph (2) of modified Articles 104 and 238 after the words "may be presented by" insert the following words
 - "a liquidator (within the meanings of Article 2(b) of the EC Regulation) appointed in proceedings by virtue of Article 3(1) of the EC Regulation, a temporary administrator (within the meaning of Article 38 of the EC Regulation) or".

Amendments to Schedule 9 to the Insolvent Partnerships Order (Northern Ireland) 1995

6. The forms contained in the Schedule to this Order are substituted for the forms identically numbered in Schedule 9 to the 1995 Order.

Dated 3rd March 2003

Irvine of Lairg, C.

The Department of Enterprise, Trade and Investment hereby concurs with the foregoing Order. Sealed with the Official Seal of the Department of Enterprise, Trade and Investment on 6th March 2003.

L.S.

M. Bohill
Senior Officer of the
Department of Enterprise, Trade and Investment

SCHEDULE Article 6

AMENDED FORMS

FORM 1Petition for Administration OrderIN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND CHANCERY DIVISION (BANKRUPTCY)

Schedule 2 para 3 Art. 22(1)

(Alternation and partnership	IN THE MATTER OF (a) ("the partnership") AND IN THE MATTER OF THE INSOLVENT PARTNERSHIPS ORDER (NORTHERN IRELAND) 1995
	To the High Court of Justice in Northern Ireland
	The petition of
(b) Essert Fall (name)(s) and to obsess(es) of continues (ii)	(b)
tor Oalots, if the officer are, presented by the pource ships	presented (e) by the members under Article 22 of the Insolveriey (Northern Ireland) Order 1989 as modified by the Insolvent Partnerships Order (Northern Ireland) 1965
inemites «	1. The principal place of business of the partnership is
(A) I work laddress left units pall process of customs	(d)
	2. The native of the partnership's business is
(e) Insert matticle; purposes apris mis inesa	(c)
	3. The petitioner(s) believe(s) that the partnership is anable to pay its debts and that an administration order would be likely to achieve:
(f) Delate sa opprepristo	(f) (i) the survival of the whole or any part of the undertaking of the partnership as a going concern
	(ii) the approval of a voluntary arrangement with its creditors under Part II of the Insolvency (Northern Ireland) Order 1989 as modified by the Insolvent Partnerships Order (Northern Ireland) 1995
	 (iii) a more advantageous realisation of the partnership property than would be effected on a winding up
	for the reasons stated in the affidavit of
(g) Essert name of posser, occurring afficient	(8)
	filed in support hereof
	4. The partnership (f) is/is not a credit institution; an insurance undertaking; an investment undertaking providing services involving the holding of funds or scenrities for third parties; or a collective investment undertaking referred to by Article 1.2 of the EC Regulation.
(b) Escrib whether many assemblery or lendonal areas diagon	5. For the reasons stated in the affidavit of (g) it is considered that the EC Regulation (f) will/will not apply and that these proceedings will be

i Clinsent fall marreys i and address educal progresses administratorys i	6 The petitioner(s) propose(s) that during the period for which the order is in force the affairs, business and property of the partnership be managed by (i)			
gjjonser folloane of	(*) that the Court make an administration order in relation to (j)			
pertunutry				
(k) insert nonrelation of the order of dis-	(2) that (k)			
adhinus.rator(s)	be appointed to be the administrator(s) of the said partnership			
(I) Insert details of any anothery orders sought	(3)(l)			
	or ·			
	(4) that such order may be made in the premises as shall be just.			
	Nute: It is intended to serve this petition on			
(m) Insert here we no old rose talephia o member. Excurate of I any of a soliation.	This petition was issued by (m)			
es qui familia. perit anons?	(solicitor for) the petitioner(s) whose address for service is:			
	ENDORSEMENT			
	This potition against the partnership having been			
	presented to the Court on			
	will be heard at Royal Courts of Justice, Chichester			
	Street, Belfast, BT1-3.01			
	on:			
	Date			
	lime			

(or as soon thereafter as the petition can be heard)

FORM 3Petition to Wind up Partnership by Liquidator, Administrator, Trustee or SupervisorIN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND CHANCERY DIVISION (BANKRUPTCY)

Schedule 3 para 3 Art. 185A(1)

ini Treet rome of columnia	IN THE MATTER OF (a) ("the partnership") AND IN THE MATTER OF THE INSOLVENT PARTNERSHIPS ORDER (NORTHERN IRELAND) 1995			
	To the High Court of Justice in Northern Ireland			
(I) Escal Tall Laures(s) and inchestles) of conforcing	The petition of (b)			
	I I am W.V. am the conflict Windows Windows Windows and Windows in and or of			
to i Delete sa opprepristo	1. I am/We are the (c) [joint]liquidator(s)/administrator(s)/trustce(s)/supervisor(s) of			
to be trained of mostly and	(d)			
ioi Daert acince of	(e)			
gur uners ng/s laus inesa	(6)			
.лв ггезя	2. (c) The centre of n ain interests, being the place where the partnership conducts the administration of its interests is at			
of Charte-Moss of principal descript	(f)			
inisiness to show jurise crion of the Court	OR			
	(a) The centre of main interests is located outside the United Kingdom but within the Dursquean Union and the partnership has an establishment as defined by EC Regulation No. 1346/2000 within Northern beland at			
	OR			
	(c) the centre of main interests is located outside the Puropean Union			
	OR			
	(a) the partnership, carry on business as an insurance undertaking; a credit institution; investmen, 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 Repulation			
	3. The proceedings will be main or secondary or territorial proceedings for the purposes of the EC Regulation			
	CR			
	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 conducts the administration of his interests on a regular basis; 			
	(ii) establishment is defined as "any place of operations where the carries out a non-transitory economic activity with human means and goods."			

ign Tellere as appropriate if the innomination of the series of business on techniques of business on techniques of business on techniques of Southard Lie Southard Lie relevant period is I year in any other base Lie Bycare.	the period of (g) 3 years 1 year ending with the day on which this petition presented, and the first of the permeasure (e) is/is not an insurance undertaking; a credit institution of the permeasure traders investment undertaking coordinates investment undertaking coordinates.	
Control to most assert the reasons states; in the affidavit of (h) thereof it is considered that the EC Regulation (c) will/will not apply proceedings will be (.) proceedings as defined the EC Regulation.		
 (j) 8st out grounds on which a winding up profession steph 	7. (j)	
	8. In the circumstances the partnership should be wound up. The petitioner(s) therefore pray(s) as follows: — (1) that (a) may be wound up by the Court under the provisions of the Insolvency (Northern Ire and) Order 1989 as modified by the insolvent Partnership Order (Northern Ireland) 1995	
	OR (2) that such other order may be made as the Court thinks fit.	
(a) Ard follows a code as a cost of the other	Note: It is intended to serve this polition on the partnership [and] (k)	

CALCE for Limit according to the according to the person converses that intended to solve this petition.

This petition against the partnership having been presented to the Court on will be heard at Royal Courts of Justice, Chiehester Street, Belfast, BTT 3JF on:
Date
Time ror as soon thereafter as the petition can be heard)
The solicitor to the petitioner is:
Name
Address

ENDORSEMENT

Tel. No.

Reference _

Pax No. (i² any)

ra:	Interturance	eľ
	partnership.	

IN THE MATTER OF (a)

("the partnership").

AND IN THE MALTER OF THE INSOLVENT PARTNERSHIPS ORDER (NORTHERN TRELAND) 1995

	(NORTHERN EXECUTIVE) 1993
	To the High Court of Justice in Northern Ireland
(b) Instat (Inf. manage) of path energy)	The petition of (b)
(c) Insert the nature of the partie ship's begingsees	The nature of the partnership's business is/was (c)
(d) Delete as a gua quale (e) Tusert mature of porthershi a's bos ness	2. (d) The centre of main interests being the place where the partnership conducts the administration of its interests is at (e)
	(d) The centre of main interests is located outside the United Kingdom but within the European Union and the partnership have an establishment as defined by EC Regulation No. 1346/2000 within Northern Ireland at
	OR
	(d) The centre of main interests is located outside the Phropean Union
	()R

- (d) The partnership earry on business as an insurance undertaking; a credit institution; investment undertaking providing services involving the holding of Tunds or securities for third parties; or a collective investment undertaking as referred to in Article 1.2 of the EC Regulation.
- 3. 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 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".
- C Tialero as appropriate If the path's wright is a principal slade of hor reas in Ivan Pletterin freezil and mi Scotlam, the relevant pariod is you for my this counit is 5 years.
- 4. The partnership has earnied on its business in Northern Iroland at some time during the period of (I) [3 years] [1 year] ending with the day on which this polition is presented.

FORM 5Creditor's Petition to Wind Up Partnership (Presented in Conjunction with Petitions against Members) IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND CHANCERY DIVISION (BANKRUPTCY)

5. The partnership (d) is6s not an insurance undertaking; a credit institution; an

Schedule 4 para 8 Art. 104(1)(a)

	investment undertaking providing services involving the holding of funds or securities for third parties; or a collective investment undertaking referred to by Article 1.2 of the EC Regulation.			
g) Treentheme of person swipshipp officers	6. For the reasons stated in the affidavit of (g) ———————————————————————————————————			
h, irsan whather main secondary to lemichts proceedings	proceedings will be (h) the (C Regulation onceedings as defined in Article 3 of			
	7. The partnership is just by and truly indebted to the [18] in the aggregate sum of $\mathfrak L$ ————— the above-mentioned debt is for a liquidated sum payable immediately [
jj rika deta of siav ce	On (i) a domaind was served upon the partnership by			
 State insurer of service of demand. 	 (j) in respect of the above-mentioned debt. To the best of my know edge and belief the demand has not been complied with 			
kticused teel usade of perimonal p	On (i) (a) demand(s) was/were served upon (k)			
	(a) member(s) of the partnership by (j)			
	in respect of the above-mentioned debt. To the best of my knowledge and belief the demand(s) (d) has/have not been complied with.			
	8. The partnership is unable to pay its debts and in the circomstances the partnership should be wound up.			
	The petitioner(s) therefore pray(s) as follows: -			
	(1) that (a)			
	OR			
	(2) that such other order may be made as the Court thinks fit.			

NOTE 1: Petitions are also being presented against the following members of the partnership:

NAMT.	ADDRESS	TYPL OF PETITION (WINDING-UP OR BANKRUPICY)	DATE DEMAND SERVED

NOTE 2:

It is intended to serve this petition on the partnership

ENDORSEMENT
This petition against the partnership having been presented to the Court on will be heard at Royal Courts of Justice. Chichester Street, Belfast, BT1 3JF on:
Date
Time (or as soon thereafter as the petition can be heard)
The solicitor to the petitioner is:
Name
Address
Tel No
hax No. (if any)
Reference

FORM 6Creditor's Petition to Wind Up Corporate Member (Presented in Conjunction with Petition against Partnership)IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND CHANCERY DIVISION (BANKRUPTCY)

(') Suite marrier of service of /emar/

Schedule 4	para 8	Art.	104	(1)	(a
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	Schedule 4 para 8 Art. 104(1
(a) Essentiating of convente member antifactors in diagrapy up political	IN THE MATTER OF (a) ("the company") AND IN THE MATTER OF THE INSOLVENT PARTNERSHIPS ORDER (NORTHERN IRELAND) 1995
	To the High Court of Justice in Northern Ireland
(b) heart full nume(s) s whorldressyes) of a line. (s)	The partition of (h)
to the older of no expension (c) Escat ide of Companies Act of Other who which	he company was incorporated on (c) under (d)
The company was more than and (c) Escat address of registered office	he registered office of the company is at (e)
	3. The nominal capital of the company is \pounds divided into shares of \pounds each. The amount of the capital paid up or credited as paid up is \pounds
	4. The principal objects for which the company was established are as follows:
	and other objects in the memorandum of association of the company.
(i) Polete as appropriate	5. he company (f) is/is not an insurance undertaking, a credit institution; an investment undertaking providing services involving the holding of funds or securities for third parties, or a collective investment undertaking referred to in Article 1.2 of the EC Regulation.
(g) hearthune of person swearing officialit	6. For the reasons stated in the affidavit of (g) ———————————————————————————————————
(b) Exect whether main secondary or an iterial monadings	that these proceedings will be (h) proceedings as defined in Article 3 of the EC Regulation
The lower following of yartherday against which winding up	7. he subject of this polition is a member of (i)
relition. Tass recur presented to Pro- Court	which has carried or business in Northern Ireland at some time during the period of (j) [3 years] [1 year] ending with (k)
If it Dulete skill provinists. If the partnership has a principal place of	a winding-up petition was presented to this Court against the partnership.
traines) in high Neitham heath and in Seathand the colorid united in I year, Errary other east	8. he partnership is justly and truly incepted to one just in the augregate sum of t The above-mentioned debt is for a liquidated sum payable immediately. On (k) a demand was served.
nt is 3 years. (id) this if appropriate due	upon the company and the partnership by (I)

demand has not been complicid with.

in respect of the above-mentioned debt. To the best of my knowledge and belief the

	 9. The partnership is unable to pay member should be wound up. 	its debts and in the cir-	cumstances the corporate
	The petitioner(s) therefore pray(s) a	as follows: +	
	(1) that (a) may be wound up by the Court un Ireland) Order 1995	nder the provisions of t	the Insolvency (Northern
	OR		
	(2) that such other order may us the	: Court thinks lit.	
NOTE 1:			
Petitions are also	being presented against the following	members of the partne	rship:
NAME	ADDRESS	I YPE OF PETITION (WINDING-UP OR BANKRUPICY)	DATE DEMAND SERVED
NOTE 2: It is intended to s	erve this petition on (a)		
	ENDORS	EMENT	
	Justice, Chichester Street, I on: Date	heard at Royal Courts of	
	Time (or as soon thereafter as the	petition can be heard)	-
	The solicitor to the petition	er is: -	
	NameAcclasss		_
	Tel. No		_
	Fax No. (il'any)		_

Reference _____

FORM 7Creditor's Bankruptcy Petition against Individual Member (Presented in Conjunction with Petition against Partnership)IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND CHANCERY DIVISION (BANKRUPTCY)

Schedule 4 para 8 Art. 104(1)(c)

(a) Inventionance of propositional member subject to petition	IN THE MATTER OF (a) AND IN THE MATTER OF THE INSOLVENT PARTNERSHIPS ORDER (NORTHERN IRELAND) 1995
	To the High Court of Justice in Northern Ireland
(b) Insert following(s) and address(es) of perconens)	/We (b)
	petition the Court that a bankruptey order may be made against
ici I serti fall insine, danci of ital-bench and decognition of individual member	(e)
(c) hisert or full importance of the content of the	[also known as (c)
(e) Essett trading using adding "Contr- traction or others", if I is is not unal coa- adities, and ustore of his coas.	and carrying on business as (c)
(c) Executions, counter scheenings of at which the member has scaled a feet that in many the feet of the period the of the randomlets (c) was necessarily for the counter of the counter o	and lately residing at (1)
(g) Live same details as apendisch in bemigel, einer für an yindlug resmesses in which lake heer corriection at earlier metter petition debt. In the petition debt. In the mitter of price and a which he menter on at which he menter may have increased debts will impending unitable.	[and lately earrying on business as (g)

Ói	Field	era:	ąs.	ç	١E	r.3	'n.	atr

(h) The debtor's centre of main interests, being the place where he conducts the administration of his interests, is located within the United Kingdom, at

OR.

The debtor's centre of main interests is located outside the United Kingdom but within the Engopean Union and he has an establishment as defined by EC Regulation No. 1346/2000 within Northern Ireland at $_{\perp}$

OR

The debtor's centre of main interests is located outside the European Union

OR

The debtor carries on business as an insurance undertaking; a credit institution; an 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.

The proceeding will be main OR secondary OR territorial proceedings for the purposes of the 3C Regulation,

OR.

The proceedings do not fall within the EC Regulation.

Under the EC Regulation:

- 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 Tany place of operations where the debtor carries out a non-transitory economic activity with human means and goods".

On the grounds that:

- (i) heart, full names of pertnership lagorist which whiching up-periods has been presented by this Seut
- Deletoss argunijate. If the parties stop has a processor of the second larudas no pod. Noticen Indicate and in Secritary the advantagement of a financial secritary and section and secretary and section year, in any other case in is November
- : abu

he is a member of (i)

which has carried on business in Northern Ireland at some time during the period of (*) [3 years] [1 year] ending with (k)_ , the day on which a winding-up petition was presented to this Court against the partnership.

The partnership is justly and truly indebted to me [us] in the aggregate sum of

The above-mentioned debt is for a figuidated sum pavable immediately.

On (k)

(a treat appropriate a demand was served upon the member and the partnership by (I)

State $- \operatorname{manned} - \operatorname{ef} - \operatorname{in} respect of the above-mentioned debt sense of denoral$

To the best of my knowledge and belief the demand has not been complied with nor set aside in accordance with the Rules and no application made to set it aside is ouistanding.

The partnership is unable to pay its debts and in the circumstances a bankruptcy order should be made against (a)

NOTE I:				
Petitions are also	being presented:	against the following	members of the	partnershio:

NAMIC	ADDRESS	LYP COR PETIT ON (WINDING-UP OR BANKRUPTCY)	DALE DEMAND SERVED

NOTE 2:					
It is intended to ser	rve this petition on (a)				
	ENDORSEMENT				
	This petition having been presented to the Court on				
	Date				
	Time				
	Place Royal Courts of Justice, Chichester Street, Belliast, BTI 3JF				
trothershooms of member	and you, the above-named (m)				
	are to take notice that if you intend to appose the petition you must not later than 7 days before the date fixed for the hearing:				
	 (i) file in Court a notice in Form 6.20 in Schedule 2 to the Insolvency Rules (Northern Ireland) 1991 specifying the grounds on which you object to the making of a bankruptcy order; and 				
	(ii) send a copy of the notice to the petitioner or his solicitor.				
in). Dury to be completed where the perintoning	The solicitor to the petitioner is (u): -				
e editoris couceated tyra pricitar	Name				
	Address				
	Tel. No.				
	Fax No. (if any)				
	Reference_				

FORM 11Members' Petition to Wind up Partnership (Presented in Conjunction with Petitions against Members)IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND CHANCERY DIVISION (BANKRUPTCY)

Schedule 6 para 2 Art. 104(1)(a)

(a) Insert name of partie ship subject to petit or	IN THE MALTER OF (a) ("the partnership") AND IN THE MALER OF THE INSOLVENT PARTNERSHIPS ORDER (NORTHERN IRLEAND) 1995
	To the High Court of Justice in Northern Ireland
(b) Insert (full incrne(s)) and address(bs) of petition (c)	The petition of (ħ)
(c) lassed the nature of the continuesh p's lessions.	The nature of the partnership's business is/was (e)
çdi İnseni İndiresa lofi principal İndexi ildi besincer	2. The principal place of bosiness of the partnership is at (d)
(c) Polsts expringions If the parametring loss a minerjoi place of brainess in the Medical related in Scotland and in Scotland the	3. The partnership has earried on its business in Northern freland at some time during the period of (e) [3 years] [1 year] ending with the day on which this petition is presented
indicent maintained by a year an any other mass up 3 years Not. To position should be presented by all members turiess the	This petition is presented by the members of the partnership.
members for east the court have ordered as the father of the court of	4. The partnership (f) is/is not an instrance undertaking: a credit institution: an investment undertaking providing services involving the holding of funds or securities for third parties; or a collective investment undertaking referred to in Article 1.2 of the EC Regulation.
 (g) The month of person swearing all days. (h) The most other main secondary or tenuera. proceedings 	5. For the reasons stated in the affidavit of (g) filed in support hereof it is considered that the EC Regulation (f) will/will not apply and that these proceedings will be (h) proceedings as defined in Article 3 of the LC Regulation. 5. The partnership is unable to pay its debts and in the circumstances the partnership
	should be wound up
	The petitioner(s) therefore pray(s) as follows:
	(1) that (a)
	OR
	(2) that such other order may be made as the Court thinks lit.

٠.	_	•	_	
٦.	• •	1		•
_,	•	_	_	

Petitions are also being presented against the following men bers of the partnership.

NAMI:	ADDRICSS	LYPE OF PETITION (WINDING-LP OR BANKRUPTCY)

NOTE 2:

It is intended to serve this pelition on the partnership.

ENDORSEMENT
This perition been presented to the Court onwill be heard at Royal Courts of Justice, Chichester Street, Belfast, BT1 3JF on:
Date
Time
The solicitor to the petitioner is:
Name
Adkiress
Tel. No
Fax No. (.f any)
Reference

FORM 12Members' Petition to Wind Up Corporate Member (Presented in Conjunction with Petition against Partnership)IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND CHANCERY DIVISION (BANKRUPTCY)

Schedule 6 para 2 Art. 104(1)(b)

un insertitente ou comprete member autropi o vindings ay gazaron

IN THE MATTER OF (a) ("the company").

AND IN THE MATTER OF THE INSOLVENT PARTNERSHIPS ORDER (NORTHERN IRREAND) 1995

	To the High Court of Justice in Northern Ireland
(b) Encert full numbers) and sobhessies) of terrioration	The petition of (b)
(b) Treet de a of incorporation	The company was incorporated on (e)
to Essert alle of Companies Act in	under (d)
O vier moter which due occupanty vous incorporated	2. The registered office of the company is at (e)
(a) Tracettle-Minars of pegsytaced outlice	
	3. The nominal capital of the company is f divided into shares of f each. The amount of the capital paid up or credited as paid up is f
	4. The principal objects for which the company was established are as follows:
	and other objects stated in the memorandum of association of the company.
(f) Ledvic es approprieto	5. The company (f) is/is not an insurance undertaking, a credit institution, an investment undertaking providing services involving the holding of funds or scenarities for third parties; or a collective investment undertaking referred to in Article 1.2 of the LC Regulation.
ng Impert mone of person swearing affiliavit	6. For the reasons stated in the affidavit of (g) filed
(INT over what is mining security to territorial proceedings	in support hereof it is considered that the EC Regulation (f) will/will not apply and that these proceedings will be (h) proceedings as defined in Article 3 of the EC Regulation.
which wording up	7. The subject of this polition is a member of (i) which has carried on business in Northern Iroland at some time during the period of (j) [3 years] [1 year] ending with (x), the day on which a winding-up potition was presented to this Court against the partnership.
L. Die puraierktapung di	
tring to place of regulars at red. Northern fre and archin Sportland, the inferent sport is 1 years from other case it is 5 years.	 A petition has been presented against the partnership by its members and this petition is presented in conjunction with that petition.
 Евитариерыну саю. 	

- Note: Inc periods about
the presented by all
members turless the
Common of otherwise
directed under Article
10-Or of the Implemen
(Nistria norabiril) Cuda
1980 as morphisd by the
Insolveni Parmers rps
Curier (No there Italiand)
1995. If the (λun) has so
A reated. Then leads
mender apart owher a
printed as being presented should state
gresen et landard is are I franche is willing far an
msedeency order to be
mode against limit.
IIII: 12 .iķiūrisi II I.

9. The partnership is unable to pay its debts, each member is willing for an insolvency order to be made against that member and in the circumstances the corporate member should be wound up.

The petitioner(s) therefore pray(s) as follows: -

- (1) that (a.
- may be wound up by the Court under the provisions of the hisolvency (Northern Iroland) Order 1989 as modified by the Insolvent Partnerships Order (Northern Iroland) 1995.
- OR
- (2) that such other order may be made as the Court thinks fit.

NOTE I:

Petitions are also being presented against the following members of the partnership:

NAME	ADDRESS	LYPE OF PETITION (WINDING-LP OR BANKRUPTCY)

NOTE 2:

It is intended to serve this polition on (a).	
- ·	

ENDORSEMENT	
This potition having been presented to the Court on be heard at Royal Courts of Justice, Chichester Street, Belfast, BTT 3JF on:	will
Date	
Time (or as seen thereuther as the petition can be hourd)	
The solicitor to the petitioner is: -	
\ame	
Address	
Tel. No.	
Pax No. (Tany)	
Reference	

FORM 13Member's Bankruptcy Petition against Individual Member (Presented in Conjunction with Petition against Partnership)IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND CHANCERY DIVISION (BANKRUPTCY)

Schedule 6 para 2 Art. 104(1)(c)

(a) Insult rand of individual member an girel to petit a	IN THE MATTER OF (a) AND IN THE MATTER OF THE INSOLVENT PARTNERSHIPS ORDER (NORTHERN IR (LAND) 1995
	To the High Court of Justice in Northern Ireland
(in the on full is note; and subcress(us) of pehboren(s)	I'We (b)
(c) Insert tell table, pisce of readonce on computer of indexectal meaner	petition the Court that a bankruptcy order may be made against (c)
ght Insert in full any order name(s) my whiten the treatments or has been known	ulso known as (d)
(c) Invertinaling name (adding health ancient to others", If this is so, business address and nature of business.	and earrying on business as (c)
(f) to entiarly frame subfress fest at which the member has resided after the into at which the problem (i.e. the particularly) was provided to the particularly (f) was provided.	and lately residing at (I)
(g) One same define as specified in three for above for any other desirable restriction of the other metrics of whiter the period.	[and lately carrying on business as (2)
porthershim a year- ine monther is a world the member may have incorner delan- ed liabilities will degrate to this assetsed	(h) The debter's centre of main interest being the place where he conducts the administration of his interests, is located within the United Kingdom, at
(a) Delete as oppropriate	OR
	The debtor's centre of main interests is located outside the United Kingdom but within the European Union and he has an establishment as defined by EC Regulation No. 1346/2000 within Northern Ireland at
	OR
	The debtor's centre of main interests is located outside the European Union
	OR
	The debtor carries on business as an insurance undertaking: a credit institution; an investment undertaking providing services involving the holding of funds or securities for third parties; or a collective investment undertaking as referred to Article 1.2 of the 100 Regulation

The proceedings will be main OR secondary OR territorial proceedings for the purposes of the EC Regulation $\,$

(c) The cit full as the of partnership near not	OR .
ed ker wir die jung- petatoor 128 been presented to die Court.	The proceedings do not fall within the EC Regulation
ç il Delete us aprolopriule. If the porthe shin has	Under the EC Regulation:
a principal praestor business in both Normann indoed and	 (i) the centre of main interests should correspond to the place where the debtor conducts the administration of his interests on a regular basis;
in Scotland die nelevant period is 1 year. In any other case it is 3 years	(ii) establishmen, is defined as "any place of operations where the debtor earries out a non-transitory economic activity with human means and goods".
(la) Invertion sporage and cutte	On the grounds that:
Note the petition should be presented by all minimum and mixed for four diseases the result are exhibited to 1913; of the User's and Code 1985 as modified by the freedom teather should be freedom to the should be found as the code of the code of the freedom to the should be found to the code of the code o	he is a member of (i) which has carried on business in Northern Ireland at some time during the period of (j) [3 years] [1 year] ending with (k), the day on which a winding-up petition was presented to this Court against the partnership. A petition has been presented against the partnership by its members and this petition is presented in conjunction with that petition. The purtnership is triable to pay its debts, each member is willing for an insolveney order to be made against that member and in the circumstances a bankruptcy order should be made against (a)
order to be made against	

NOTE 1:

Politions are also being presented against the following members of the partnership:

TYPE OF PETITION (WINDING UP OR BANKRUPTCY)

N	വ	ГF	7.

It is intended to serve this potition on (a)

	ENDORSEMENT
	This petition having been presented to the Court onit is ordered that the petition shall be heard as follows:
	Date
	Ттпе
	Place Royal Courts of Justice, Chichester Street, Belfast, BT1 3JF
(1) Fried ionis (4) member	and you, the above-named (l)
	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:
	(j) Ifile in Court a notice in Form 6.20 in Schedule 2 to the Insolvency Rules (Northern Ireland) 1991 specifying the grounds on which you object to the making of a bankruptcy order; and
	(ii) send a copy of the notice to the petitioner or his solicitor.
(iii) Only to be completed where the petitioning	The solicitor to the petitioner is (m):
erediter is repersed by a soliciton	Nume
X-10-10	Address
	Tel. No
	Fax No. (if any)
	Reference

FORM 14Joint Bankruptcy Petition against Individual MembersIN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND CHANCERY DIVISION (BANKRUPTCY)

Schedule 7 para 3 Art. 238(3)(a)

(a) Essert name of purposes hip subject to soft on N THE MATT (R OF (a) ("the partnership")

AND IN THE MATTER OF LIE INSO VANT PARTNERSHES ORDER (NORTHERN BELAND) 1995

Details of members

th's Invertisapointe y for each recently, then full	*(1) T, (5)
name, any of let names by which they word to so be a known and then appropries	(e)
icu lineit sepamte y for sich menihen hem residernisi olidirasi	
(d) Exempling the guniners uponised	[and carrying on/lately carrying on business as
represents to reach	id)
name, beginess address and rotaine or the occioes carrier on all, or other, the time the or trenship	
data were incorne:	(c) The debtor's centre of main interests, being the place where he conducts the
(c) Delete as apprepriate	administration of his interests is located within the United Kingdom.

administration of his interests, is located within the United Kingdom, at

OR

The debton's centre of main interests is located outside the United Kingdom but within the Throopean Union and he has an establishment as defined by EC Regulation No. 1346/2000 within Northern beland at

 ΩR

The debtor's centre of main interests is located outside the European Union

OR

The debtor carries on business as an insurance undertaking, a credit institution, an investment undertaking providing services involving the holding of finds or scenarios for third parties; or a collective investment undertaking as referred to in Article 1.2 of the EC Regulation.

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 LC Regulation.

Under the I/C Regulation:

- (i) The centre of 'min'r iterests 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".

(c) Deleto as appropriate

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

	AND
(b) Insect represently for succern smooth tem full is not not allow tames by whose they	*(2) L(b)
are an'have heen kryewn and their ecoupeticer	(e)
for Insect separately for each member them resident that have	
(4) Bach map the partnershay moset separately for each member the tradity man, business affects and mature of my main soles and solutions and solutions.	[and carrying on/lately carrying on business as (d)
hille he turu eship Adra ware includd (e) Delete av sautomiate	(e) The debtor's centre of main interest being the place where he conducts the administration of his interests, is located within the United Kingdom, at
	OR
	The debter's centre of main interests is located outside the United Kingdom but within the European Union and he has an establishment as defined by EC Regulation No 1346/2000 within Northern Ireland at
	OR
	The debtor's centre of main interests is located ou side the European Union
	OR
	The debtor carries on business as an insurance undertaking; a credit institution; an investment undertaking providing services involving the holding of funds or securities for third parties; or a collective investment undertaking as referred to Article 1.2 of the EC Regulation.
	The proceedings will be main OR secondary OR territorial proceedings for the purposes of the LC Regulation $$
	OR
	The proceedings do not fall within the EC Regulation
	AND
(b) Insert separately for each member froir following one allo- rances by which they	*(3) I, (b)
ine or hive been known and cheir perupetion	(u)
(c) Insect separately Ba apply member their upide at about two	and earrying andately earrying on business as
Alt Books and	· · · · · · · · · · · · · · · · · · ·
 (d) Bacducing the partnership, meet repairing for each rescriber the hudging name, two ness 	(d)
actives and nature of any resinces second or at oracles, the time the carrieship cobs were mainted.	(e) The debtor's centre of main interests being the place where he conducts the administration of his interests, is located within the United Kingdom, at

OR

The debtor's centre of main interests is located ourside the United Kingdom out within the European Union and he has an establishment as defined by EC Regulation No. 1346/2000 within Northern Ireland at

OR

The debtor's centre of main interests is located outside the European Union

OR

The debter earries on business as an insurance undertaking; a credit institution, an investment materiaking providing services involving the holding of funds or securities for third parties; or a collective investment undertaking as referred to Article 1.2 of the LC Regulation.

The proceedings will be main OR secondary OR tenitorial proceedings for the purposes of EC Regulation

OR

The proceedings do not fall within the EC Regulation.

Under the LC Regulation:

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

We, being all the members of (f)

(f) Freed moding mone, produced as those (a) one cature of commercial business the simplest of this pection.

Notes

[17] repetition of bound by a firm confidence, they did continued the Continued Contin

(1) If this peririze is not agreed to set the pathods presenting it, it must be accompanied by an affiliar time of the period by the period to the restriction of the period accompanies and the period accomplished and the period accomplished pathod and the period accompanies to be accompanied to the period accompanies the period accompanies to accomplish the period accompanies (Aut 2004.4)

and all of us being individual members and none of us being limited partners and being unable to pay the debts of the partnership

and the members of the partnership baying carried on its business in Northern behind at some time carring the period of 3 years ending with the day on which this perition is presented.

Petition the Court that bankruptey orders be made against us and that the trustee of our estates wind up the partnership business and administer the partnership property.

Signature(s)

(member(s) of partnership)

Date

FORM 16Bankruptcy Orders on Joint Bankruptcy Petition Presented by Individual MembersIN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND CHANCERY DIVISION (BANKRUPTCY)

Schedule 7 para 3 Art. 238(5)

(a) Invertion as of individual to more east	IN THE MATTER OF (a) AND IN THE MATTER OF THE INSOLVENE PARTNERSHIPS ORDER (NORTHERN IRELAND) 1995
(p) Insert cate	Upon the polition of the above-named individual members of a partnership ("the partnership") which was presented on (b) $_$
	And upon hearing
(c) Truest field cross of most indicated. Lieuteus so an authoritie pelificial	And upon reading the petition and statements of affairs It is ordered that (c)
	and (e)
	апс: (e)
All Treet name of any lanking times well of sylven may	he adjudged bankrupt. [And it is certified that the estate(s) of (d)
sommeteriors said further Art 178 of the Insolverey (Northern the Salt Case 1880 as modified by the Insolver Participant Pedanti 1966	the bankrupt(s) be administered in a summary manner]. And the Court being satisfied that the EC Regulation (e) does/does not apply and it is ordered that the proceedings in relation to (f)
re: Deleto as appropriate (f: Traori nombio)	are (g)proceedings as defined in Article 3 of the EC Regulation
cebeary, (g) limert whether maint secondary or territorial proceed real	And it is also ordered that the trustee of the bankropts' estates be trustee of the partnership estate and that he wind up the affairs of the partnership and administer the partnership property.
	Date
	Timehous
	Important Notice to Bankrupts The Official Receiver is by virtue of this order trustee of the bankrupts' estates and trustee of the partnership. You are requested to attend upon the Official Receiver at
ç'in Trisert ubbress of Official Rock verial e-Ties	thi
	immediately after you have received this order.
	The Official Receiver's offices are open Monday to Friday (except on holidays) from 1060 to 16.00 hours.

(ii) On let us be entired where individual countries and represented by a self-after.

ENDS The solicitor(s) to the individual r	members is tare : =
Name of individual members:	memicus is raic). –
Name of solicitor:	
Address	
l'elephone No.	
Fax No.	
Reference	
Name of individual member:	
Name of sol offor.	
Address	
Telephone No For No	
Name of individual member:	
Name of solicitor:	
Address	
Telephone No	
Fax No.	
Reference	

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order amends the Insolvent Partnerships Order (Northern Ireland) 1995 (S.R.1995 No. 225) ("the 1995 Order") in the light of Council Regulation (EC) No. 1346/2000 of 29th May 2000 on insolvency proceedings (O.J. No. L160, 30.06.00, p. 1) ("the EC Regulation") which came into force on 31st May 2002.

The EC Regulation aims to provide for the efficient and effective functioning of cross-border insolvency proceedings in the European Union.

The amendments made by this Order are –

- to provide in the 1995 Order that a liquidator appointed in proceedings by virtue of Article 3(1) of the EC Regulation and a temporary administrator (within the meaning of Article 38 of the EC Regulation) are included among those entitled to present a petition or petitions under the Order (Articles, 3, 4 and 5(2)) ("main proceedings" and "temporary administrator" are defined in the EC Regulation);
- to clarify the scope of the jurisdiction of the High Court in Northern Ireland where the EC Regulation applies (Article 5(1));
- to substitute the forms of the 1995 Order with forms which require consideration of whether the EC Regulation applies to the proceedings in question (Article 6).