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STATUTORY RULES OF NORTHERN IRELAND

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**2009 No. 64**

**The Bank Insolvency Rules (Northern Ireland) 2009**

**PART 18**

**COURT PROCEDURE AND PRACTICE**

**CHAPTER 1**

**APPLICATIONS (GENERAL)**

**Preliminary**

**188.** This Part applies to any application made to the court under the 2009 Act or these Rules except an application under section 95 of the 2009 Act for a bank insolvency order.

**Interpretation**

**189.** Apply rule 7.06 of the 1991 Rules.

**Form and contents of application**

**190.** Apply rule 7.07 of the 1991 Rules

**Application under Article 150A(5) to disapply Article 150A**

**191.**—(1) Apply rule 7.07(1) of the 1991 Rules.

(2) In paragraph (1), delete “administrator or receiver”.

(3) Delete paragraph (2)(a).

**Filing and service of application**

**192.** Apply rule 7.08 of the 1991 Rules.

**Notice of application under section Article 150A(5)**

**193.** Apply rule 7.08A(2) of the 1991 Rules. Delete from “save that notice” to “State liquidator”.

**Other hearings without notice**

**194.** Apply rule 7.09 of the 1991 Rules.

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(1) Rule 7.07A was inserted by the Insolvency (Amendment) Rules (Northern Ireland) 2006 (S.R. 2006/47), rule 97.

(2) Rule 7.08A was inserted by the Insolvency (Amendment) Rules (Northern Ireland) 2006 (S.R. 2006/47), rule 98.

**Hearing of application**

195. Apply rule 7.03 of the 1991 Rules.

**Use of affidavit evidence**

196. Apply rule 7.10 of the 1991 Rules.

**Filing and service of affidavits**

197. Apply rule 7.11 of the 1991 Rules. Delete paragraph (2).

**Use of reports**

198.—(1) Unless the application involves other parties, or the court orders otherwise, a report may be filed in court instead of a witness statement by—

- (a) the bank liquidator,
- (b) the provisional bank liquidator, or
- (c) the special manager,

(2) In any case where a report is filed instead of a witness statement, the report shall be treated for the purposes of rule 197 and any hearing before the court as if it were a witness statement.

**Adjournment of hearing: directions**

199. Apply rule 7.13 of the 1991 Rules.