STATUTORY RULES OF NORTHERN IRELAND

2011 No. 14

INSOLVENCY

The Insolvency (Fees) (Amendment) Order (Northern Ireland) 2011

Made - - - -	*21st January 2011*
Affirmed by resolution of the Assembly on	*14th March 2011*
Coming into operation -	*30th June 2011*

The Department of Enterprise, Trade and Investment(**a**), with the concurrence of the Department of Finance and Personnel, makes the following Order in exercise of the powers conferred by Article 361(1),(3) and (4) of the Insolvency (Northern Ireland) Order 1989(**b**).

Citation and commencement

1. This Order may be cited as the Insolvency (Fees) (Amendment) Order (Northern Ireland) 2011 and shall come into operation on 30th June 2011.

Amendment to the Insolvency (Fees) Order (Northern Ireland) 2006

2. The Insolvency (Fees) Order (Northern Ireland) 2006(**c**) ("the principal Order") shall be amended as provided by Articles 3 and 4.

3. In Article 4—

(a) in the heading after "bankruptcies," insert "debt relief orders,";

(b) in paragraph (1), after "in respect of" insert "the costs of persons acting as approved intermediaries under Part 7A of the 1989 Order,".

4. In the Table of fees in paragraph 2 of Schedule 2 immediately, before the heading "Fees payable in relation to winding up by the High Court only", insert—

"**Fees payable in relation to debt relief orders**

Designation of Fee	*Description of fee and circumstances in which it is charged*	*Amount of fee*
DRO1	**Application for a debt relief order – official receiver's administration fee and costs**	

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

(**b**) S.I.1989/2405 (N.I. 19) amended by the Debt Relief Act (Northern Ireland) 2010(c. 16) which made provision, in particular, for the insertion of a new Part 7A into the Order introducing debt relief orders.

(**c**) S.R. 2006 No. 54

	of persons acting as approved intermediaries	
	For the performance by the official receiver of his functions, and for the payment of an amount not exceeding £10 in respect of the costs of persons acting as approved intermediaries, under Part 7A of the 1989 Order, there shall be payable in connection with an application for a debt relief order, a fee of—	£90”

Sealed with the Official Seal of the Department of Enterprise, Trade and Investment on 21st January 2011.

L.S.

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 21st January 2011.

L.S.

Michael Daly
A senior officer of the
Department of Finance and Personnel

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments to the Insolvency (Fees) Order (Northern Ireland) 2006 (S.R. 2006 No. 54) ("the principal Order"). It introduces a new fee to follow on from the introduction of debt relief orders into the Insolvency (Northern Ireland) Order 1989 ("the 1989 Order") by the Debt Relief Act (Northern Ireland) 2010.

Article 208B of the 1989 Order (making of application for a debt relief order) provides for payment of a fee in connection with an application for a debt relief order. Article 361 of the 1989 Order permits the charging of fees in respect of the costs of persons acting as approved intermediaries and the performance by the official receiver of functions in relation to such orders under Part 7A of the 1989 Order. Article 3(a) and (b) provides for the fee to be charged in respect of these costs to be as set out in Schedule 2 to the principal Order.

Article 4, inserts a new item into the Table of Fees in Schedule 2, to the principal Order which makes an application for a debt relief order subject to the payment of a fee of £90.

A Regulatory Impact Assessment was prepared for the Debt Relief Act (Northern Ireland) 2010. Copies of this are available from the Legislation Unit, The Insolvency Service, Fermanagh House, 20A Ormeau Avenue, Belfast BT2 8NJ.

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