1983 No. 50 (C. 1)

COMPANIES

The Companies (1978 Order) (Commencement No. 7) Order (Northern Ireland) 1983

Made . . . . . 21st March 1983

The Department of Economic Development, in exercise of the powers conferred by Article 1(1) of the Companies (Northern Ireland) Order 1978(**a**) read with paragraph 2(1)(*b*) of Schedule 1 to the Northern Ireland Act 1974(**b**) and now vested in it(**c**), hereby makes the following Order:

Citation

1. This Order may be cited as the Companies (1978 Order) (Commencement No. 7) Order (Northern Ireland) 1983.

Commencement

2.—(1) Subject to paragraph (2) all provisions of the Companies (Northern Ireland) Order 1978 not yet in operation, shall insofar as they confer or affect any power to make regulations and orders come into operation on 11th April 1983 and shall for all other purposes come into operation on 1st July 1983.

(2) Paragraph (1) does not apply to the provisions set out in the Schedule to the extent mentioned in that Schedule.

Sealed with the Official Seal of the Department of Economic Development for Northern Ireland on 21st March 1983.

(L.S.) *W. T. McCrory*
Assistant Secretary

(a) S.I. 1978/1042 (N.I. 12)
(b) 1974 c. 28
(c) By S.I. 1982/846 (N.I. 11) Art. 4

SCHEDULE Article 2(2)

Provisions not brought into operation

Provisions of the Order	*Subject matter of Provisions*
Article 6(3) and (4)	Penalties for not complying with Article 3 within the period allowed for laying and delivering accounts.
Article 62	Role of Official Assignee under section 178 of the principal Act.
Article 65	Official Assignee and Assistant Official Assignee.
Article 66	Statement of company's affairs to be submitted to Official Assignee.
Article 67	Report by Official Assignee.
Article 68	Further provision as to applications for windingup.
Article 69	Amendment to section 222 of the principal Act.
Article 70	Appointment, style, etc., of liquidators.
Article 71	Provisions where person other than Official Assignee is appointed liquidator.
Article 72	Amendments to section 224 of the principal Act.
Article 73	Exercise and control of liquidator's powers.
Article 74	Books to be kept by liquidator.
Article 75	Payments of liquidator into Insolvency Account.
Article 76	Audit of liquidator's accounts.
Article 77	Control of Department over liquidators.
Article 78	Release of liquidators.
Article 79	Amendment to section 228 of the principal Act.
Article 80	Powers of Department where no committee of inspection.
Article 81	Amendments to section 230 of the principal Act.
Article 82	Appointment of special manager.
Article 83	Power to order public examination of promoters and officers.
Article 84	Delegation to liquidator of certain powers of court.
Article 86	Liability for rentcharge on company's land after disclaimer.
Article 87	Amendments to section 298 of the principal Act.
Article 88	Amendment to section 299 of the principal Act.
Article 90	Amendments to section 306 of the principal Act.

Provisions of the Order	*Subject matter of Provisions*
Article 91	Unclaimed dividends, etc., to be lodged in Insolvency Account.
Article 92	Property of dissolved company.
Article 93	Insolvency Account.
Article 94	Separate accounts of particular companies.
Article 95	Returns by Officers of the High Court.
Article 99	Transitional provisions relating to windingup.
Article 125(1) insofar as it amends section 52(1)(*a*) of the principal Act Article 125(2) insofar as it relates to the form provided for the purposes of section 52(1)(*a*) of the principal Act	Use of prescribed forms for notices, etc., under the principal Act.
Article 144	Power to appoint Official Assignee as receiver for debenture holders or creditors.
Article 153(1) and (2), insofar as it refers to the amendment or repeal of statutory provisions mentioned below in relation to Schedules 6 and 7 respectively.	Minor and consequential amendments and repeals.
In Schedule 4, the amendment to section 52(1)(*a*) of the principal Act.	Prescribed forms for principal Act.
Schedule 6, insofar as it amends sections 98(*a*), 101, 103(1) and 284(3) and (4) of the principal Act, and Article 88(1) of the Judgments (Enforcement) (Northern Ireland) Order 1981(a).	Minor and consequential amendments.
Schedule 7, insofar as it provides for the repeal of or of words in, the following provisions: sections 224(*a*), (*b*) and (*c*), 225(2), 227(4), 247 and 340 of the principal Act, and the Companies (Amendment) Act (Northern Ireland) 1963(b).	Repeals.

S.I. 1981/226 (N.I. 6)
1963 c. 25 (N.I.)

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order brings into operation certain provisions of the Companies (Northern Ireland) Order 1978 which:—

(*a*) make new provisions as to the period which constitutes a financial year of a company and provide for the preparation, laying and delivery of accounts for each financial year and for accounting records to be kept and preserved;

(*b*) make new provision as to the contents of accounts and directors' and auditors' reports; and

(*c*) otherwise amend the Companies Act (Northern Ireland) 1960.

The provisions, insofar as they confer or affect powers to make regulations and orders, are brought into operation on 11th April 1983 and for other purposes on 1st July 1983.

Certain provisions brought into force by this Order are amended by provisions of the Companies (Northern Ireland) Order 1981 and the Companies (Northern Ireland) Order 1982 brought into force simultaneously by the Companies (1981 Order) (Commencement No. 2) Order (Northern Ireland) 1983 and the Companies (1982 Order) (Commencement No. 1) Order (Northern Ireland) 1983.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order.)

There have been six commencement orders (listed below) made before the date of this Order; a list of these, and the provisions brought into operation by them and by this Order is available from the Companies Registry, 43/47 Chichester Street, Belfast.

Previous commencement orders:

1. The Companies (1978 Order) (Commencement No. 1) Order (Northern Ireland) 1978 S.R. 1978 No. 331 (C. 16).
2. The Companies (1978 Order) (Commencement No. 2) Order (Northern Ireland) 1979 S.R. 1979 No. 191 (C. 8).
3. The Companies (1978 Order) (Commencement No. 3) Order (Northern Ireland) 1979 S.R. 1979 No. 325 (C. 14).
4. The Companies (1978 Order) (Commencement No. 4) Order (Northern Ireland) 1981 S.R. 1981 No. 323 (C. 6).
5. The Companies (1978 Order) (Commencement No. 5) Order (Northern Ireland) 1981 S.R. 1981 No. 341 (C. 8).
6. The Companies (1978 Order) (Commencement No. 6) Order (Northern Ireland) 1982 S.R. 1982 No. 71 (C. 2).