

BANKRUPTCY AND COMPANIES MASTER'S COURT

NEW CREDITORS' WINDING UP PETITIONS

COVID - 19 Guidance

16 December 2022

UPDATE

It is anticipated that the lifting of the restriction on the filing of new creditors' winding up petitions will take place next term. Guidance is currently being prepared, and a further notice will issue in advance of that Guidance to facilitate this process. In the meantime, the continuing patience of Practitioners is greatly appreciated.

Lifting the restriction presents significant challenges to the Court. In particular, the need to move from bulk in-person hearings to scheduled hearings reduces the number of petitions which may be heard at any time. In addition, the continuing absence of the new proposed Insolvency (Amendment) Rules (Northern Ireland) 2022, is a further complicating factor. It is only with Practitioners working collaboratively with the Court, and each other, that business recovery in this area is possible.

As always, Practitioners are reminded that the Insolvency (Northern Ireland) Order 1989 is a statutory scheme which governs insolvencies. The scheme is not a form of debt collection and ought not to be used as such.

MASTER KELLY