



STATUTORY INSTRUMENTS.

**S.I. No. 232 of 2016**



RULES OF THE SUPERIOR COURTS (BANKRUPTCY) 2016

RULES OF THE SUPERIOR COURTS (BANKRUPTCY) 2016

We, the Superior Courts Rules Committee, constituted pursuant to the provisions of the Courts of Justice Act 1936, section 67, by virtue of the powers conferred upon us by The Courts of Justice Act 1924, section 36, and the Courts of Justice Act 1936, section 68 (as applied by the Courts (Supplemental Provisions) Act 1961, section 48), the Courts (Supplemental Provisions) Act 1961, section 14, and of all other powers enabling us in this behalf, do hereby make the following Rules of Court.

Dated this 7th day of April, 2016.

Susan Denham

Peter Kelly

William McKechnie

Mary Laffoy

Mary Finlay Geoghegan

Michael Peart

Anthony Barr

Conor Dignam

Gerard Meehan

Stuart Gilhooly

Mary Cummins

Noel Rubotham

John Mahon

I concur in the making of the following Rules of Court.

Dated this 9th day of May, 2016.

FRANCES FITZGERALD,  
Tánaiste and Minister for Justice and Equality.

*Notice of the making of this Statutory Instrument was published in  
"Iris Oifigiúil" of 13th May, 2016.*

## S.I. No. 232 of 2016

## RULES OF THE SUPERIOR COURTS (BANKRUPTCY) 2016

1. (1) These Rules, which may be cited as the Rules of the Superior Courts (Bankruptcy) 2016, shall come into operation on the 1st day of June 2016.

(2) These Rules shall be construed together with the Rules of the Superior Courts.

(3) The Rules of the Superior Courts as amended by these Rules may be cited as the Rules of the Superior Courts 1986 to 2016.

2. Where, on the day of coming into operation of section 4 of the Bankruptcy (Amendment) Act 2015 a statutory sitting has been appointed under section 17(3) of the Bankruptcy Act 1988 for that day or a subsequent day or on that day of coming into operation a statutory sitting stands adjourned, the proceedings to which that statutory sitting relates shall continue as if the amendments made by rules 3(i) and 3(iii) to (xiv) inclusive of these Rules has not been made.

3. Order 76 of the Rules of the Superior Courts is amended:

(i) by the deletion from rule 1(1) of the definition of “the statutory sitting”;

(ii) by the insertion in rule 1(1) immediately following the definition of “trustee” of the following:

“any reference to any book, paper or record includes, where the context so admits or requires, reference to any copy of such book, paper or record in electronic form.”;

(iii) by the substitution therein for paragraph (c) of rule 19(1) of the following paragraph:

“(c) contain an undertaking by the petitioner to advertise notice of the adjudication in the manner directed by the Court, and to bear the expenses of such advertisement.”;

(iv) by the substitution therein for paragraph (g) of rule 19(1) of the following paragraph:

“(g) contain an indemnity on the part of the petitioner, indemnifying the Official Assignee as to such costs, fees and expenses of the Official Assignee as the Court may upon the application of the Official Assignee direct, and”;

(v) by the substitution therein for rule 23 of the following rule:

“23. In all cases the petitioning creditor shall indemnify the Official Assignee against such costs, fees and expenses as the Court may, upon the application of the Official Assignee, on notice to the petitioning creditor, direct.”;

(vi) by the substitution therein for rule 26(1) of the following sub-rule:

“26. (1) A debtor’s petition shall be in the Form No 13 and shall:

- (a) contain an undertaking by the debtor to advertise notice of the adjudication in the manner directed by the Court and to bear the expenses of such advertisement;
- (b) contain an undertaking by the debtor to lodge such sums, if any, as the Court may from time to time direct to cover the costs, fees and expenses incurred or to be incurred by the Official Assignee;
- (c) contain:
  - (i) statements that the Insolvency Regulation applies to the proceedings and that the debtor’s centre of main interests is situated in the State and the facts and grounds supporting each statement; or
  - (ii) statements that the Insolvency Regulation applies to the proceedings, that the debtor’s centre of main interests is situated in another specified Member State and that the debtor has an establishment within the State and the facts and grounds supporting each statement; or
  - (iii) a statement that the Insolvency Regulation does not apply to the proceedings, and in such case, shall contain a statement that the debtor is domiciled in the State or that, within a year before the date of the presentation of the petition, he has ordinarily resided or had a dwellinghouse or place of business in the State, or that he has carried on business in the State personally or by means of an agent or manager, or that he is or within the said period has been a member of a partnership which has carried on business in the State by means of a partner, agent or manager and the facts and grounds supporting that statement, and
- (d) where the Insolvency Regulation applies to the proceedings, contain a statement that, to the debtor’s

knowledge, no insolvency proceedings have been opened in respect of the debtor in any Member State or Member States (other than the State), or that such insolvency proceedings have been opened and if so, whether those insolvency proceedings are main proceedings, secondary proceedings or territorial proceedings.”

(vii) by the deletion of rule 42;

(viii) by the substitution for rule 43 of the following rule:

“43. From and after adjudication, the Official Assignee shall be at liberty to choose and appoint a solicitor to have carriage of the proceedings on his behalf and to advise him in the course of the proceedings.”;

(ix) by the substitution for sub-rule (1) of rule 64 of the following sub-rule:

“(1) Notice of the adjudication shall be given as required by section 17(2) of the Act in the Form No. 19.”;

(x) by the substitution for rule 67 of the following rule:

“67. An application to the Court for confirmation of the appointment of a creditors’ assignee under section 18(1)(b) of the Act shall be by motion on notice to the Official Assignee.”;

(xi) by the substitution for rule 80(1) of the following sub-rule:

“(1) A statement of affairs filed by a debtor under section 11(5) or for the purposes of section 14(2) of the Act shall be in the Form No. 23, with such modifications as are necessary, and shall particularise those affairs (including the assets and liabilities of the debtor) as of the following dates:

(a) where filed under section 11(5) of the Act, as of the date of presentation of the petition and

(b) where filed for the purposes of section 14(2) of the Act, as such date as the Court may direct.”;

(xii) by the substitution for rules 80(4) and 80(5) of the following sub-rules respectively:

“(4) Where the Court has given a direction referred to in sub-rule (3), the statement of affairs filed by the debtor shall, for the purpose of this Order, be treated as his statement of affairs as a bankrupt.

(5) Unless the Court otherwise directs, the bankrupt shall:

- (a) in the case of an adjudication to which section 14 of the Act applies, not later than 14 days after service on the bankrupt of the copy order of adjudication, or
- (b) in the case of an adjudication to which section 15 of the Act applies, not later than seven days after the making of the order of adjudication,

lodge with the Official Assignee his statement of affairs in the Form No 23 and the Official Assignee shall examine same so as to ascertain whether it be complete, and shall refuse to stamp same, and the bankrupt shall not file same, until presented to the Official Assignee complete, unless the Court shall otherwise direct.”;

(xiii) by the substitution for rule 100 of the following rule:

“100. When the proposal of a bankrupt or an arranging debtor for the future payment or compromise of his debts involves any other person becoming surety for the payment or compromise, the consent and undertaking in writing of that person to the proposal shall be in the Form No 31 and shall be filed at or before the meeting called under section 39(1) of the Act. Such consent and undertaking shall be executed in the presence of the Official Assignee at his office, and the same shall not be filed until the surety shall be identified to the satisfaction of the Official Assignee.”;

(xiv) by the substitution for rule 102(1) of the following sub-rule:

“(1) The Official Assignee or any creditor whose debt has been admitted may apply to the Court by motion for liberty to put a proposal to the creditors of the bankrupt at a meeting of such creditors, that the estate of the bankrupt be wound up by a trustee and a committee of inspection, and for directions as to the convening of such meeting.”;

(xv) by the substitution for rule 103 of the following rule:

“103. Where a resolution to appoint a trustee and a committee of inspection has been adopted at a meeting of creditors in accordance with section 110 of the Act, an application to the Court to order that the property of the bankrupt be wound up by the trustee and committee of inspection shall be made by motion on notice to the Official Assignee.”;

(xvi) by the substitution for rule 132 of the following rule:

“132. The provisions of these rules relating to adjudication in Bankruptcy and the procedure to be followed thereafter shall, as far as applicable and with appropriate modifications, apply to an order made for the administration of an insolvent deceased’s estate. Notice of the making of such order shall be in the Form No 34.”;

(xvii) by the substitution for rule 161 of the following rule:

“161. An application for a certificate of the Official Assignee required by section 85(3G) of the Act confirming that an estate or interest in a family home, shared home or principal private residence has re-vested in a bankrupt in accordance with section 85 of the Act may be made in writing to the Official Assignee and such certificate shall be in the Form No 34A.”, and

(xviii) by the substitution for paragraph (c) of rule 168(1) of the following paragraphs:

“(c) an application under section 85(3D) of the Act to extend the period provided for in section 85(3A) of the Act;

(d) an application for annulment of an adjudication pursuant to section 85C(1)(b) of the Act.”

4. (1) The forms numbered as Forms No. 11, 13, 19, 32, 34 and 39 set out in the Schedule shall be substituted for the forms bearing the like numbers respectively in Appendix O to the Rules of the Superior Courts.

(2) The form numbered as Form No. 14 shall be deleted from Appendix O to the Rules of the Superior Courts.

(3) The form numbered as Form No. 34A set out in the Schedule shall be added to Appendix O to the Rules of the Superior Courts immediately following Form No. 34.

**Schedule**

No.11

PETITION OF BANKRUPTCY BY A PERSON OTHER THAN THE  
DEBTOR

THE HIGH COURT

The petition of ..... of.....shows as follows:-

[Note 1] 1. ....of..... (in this petition referred to as “the debtor”) is indebted to your petitioner in the sum of €.....in respect of (*state nature of debt*).

2. Your petitioner does not nor does any person or persons on your petitioner’s behalf hold any mortgage, charge, or lien on the debtor’s estate or any part thereof as security for said debt or any part thereof (*or* your petitioner holds security for the payment of (*or* part of) the said sum but he will give up such security for the benefit of the creditors of the debtor in the event of the debtor’s being adjudged a bankrupt *or* your petitioner holds security for the payment of (*or* part of) the said sum and he estimates the value of such security at the sum of €.....).

3. The said debtor has within three months before the presentation of this petition committed an act of bankruptcy as follows:- (*give details of the specific acts of bankruptcy alleged*) as your petitioner has been informed and believes.

[Note 2] 4. Council Regulation (EC) No 1346/2000 applies to the proceedings. The centre of main interests (as determined in accordance with Council Regulation (EC) No 1346/2000) of the said debtor is situated in the State because (*state facts and grounds relied on*).

[Note 2] 4. Council Regulation (EC) No 1346/2000 applies to the proceedings. The centre of main interests of the said debtor is situated within the territory of a Member State of the European Union in which Council Regulation (EC) No 1346/2000 applies (other than the State), namely at ..... in ..... because (*state facts and grounds relied on*) and the said debtor has an establishment within the State at ..... because (*state facts and grounds relied on*).

[Note 2] [Note 3] 4. Council Regulation (EC) No 1346/2000 does not apply to the proceedings because (*state facts and grounds relied on*), and the debtor is domiciled in the State (*or specify which of the alternative requirements of Section 11(1)(d) of the Bankruptcy Act 1988 is fulfilled*).

[Note 4] 5. To your petitioner’s knowledge, no insolvency proceedings have been opened in respect of the said debtor in a Member State of the European Union to which Council Regulation (EC) No 1346/2000 applies.

5. Insolvency proceedings, which are

\*main proceedings, (in accordance with Article 3(1) of Council Regulation (EC) No 1346/2000)

\*secondary proceedings, (in accordance with Article 3(3) of Council Regulation (EC) No 1346/2000)

\*territorial proceedings, (in accordance with Article 3(4) of Council Regulation (EC) No 1346/2000)

have been opened in respect of the said debtor in a Member State of the European Union to which Council Regulation (EC) No 1346/2000 applies (other than the State), namely in....., by decision of .....made on .....20....

\*Your petitioner

\*.....of.....

was appointed by the said decision to be liquidator (within the meaning of Article 2(b) of Council Regulation (EC) No 1346/2000) in those insolvency proceedings concerning the debtor.

\*6. (*Where territorial proceedings are sought and no main proceedings are open in another EU Member State*) In your petitioner's belief, the centre of the debtor's main interests is situated within the territory of a Member State other than the State, and main proceedings have not been opened in another Member State. The condition referred to in \*[Article 3(4)(a)] \*[Article 3(4)(b)] of Council Regulation (EC) No 1346/2000 is met because (*state facts and grounds relied on, e.g. main proceedings cannot be opened in respect of the debtor where the centre of the debtor's main interests is situated, because of the conditions laid down by the law of that State, or the opening of territorial insolvency proceedings is requested by a creditor who has his/her domicile, habitual residence or registered office in the State or whose claim arises from the operation of that establishment*).

7. Your petitioner \*has/\*has not, prior to presenting this petition, received a proposal for a Debt Settlement Arrangement or a Personal Insolvency Arrangement in respect of the debtor [*and, where such proposal had been received, specify the details of the proposal.*]

Your petitioner therefore requests that on proof of the requisites in that behalf, on the hearing of this petition, the said debtor may be adjudged bankrupt

\*[Note 5] in main proceedings, (in accordance with Article 3(1) of Council Regulation (EC) No 1346/2000).

\*[Note 6] in secondary proceedings (in accordance with Article 3(3) of Council Regulation (EC) No 1346/2000).

\*[Note 7] in territorial proceedings (in accordance with Article 3(4) of Council Regulation (EC) No 1346/2000).

YOUR PETITIONER HEREBY UNDERTAKES to this Honourable Court that, in the event of the said debtor being so adjudged your petitioner will advertise notice of the adjudication in the manner directed by this Honourable Court and bear the expenses of such advertisement. Your petitioner HEREBY INDEMNIFIES the Official Assignee as to the costs, fees and expenses incurred, or to be incurred, in the event of such adjudication by the Official Assignee and allowed by the Court. Your petitioner FURTHER UNDERTAKES to lodge such sums as this Honourable Court may direct to cover such costs, fees and expenses.

Dated  
(Signed)

(Signed)

Witness

(Name, address and description of witness)

Received this.....day of .....20..., at the hour of .....o'clock in the ..... noon.

**Notes:**

[Note 1] In the case of the petition of a liquidator in main proceedings which concerns or involves the opening of secondary insolvency proceedings in the State pursuant to Article 27 of Council Regulation (EC) No 1346/2000 (“the Insolvency Regulation”), paragraphs 1-3 above are not required to be included. In the case of the petition of a person other than the liquidator in main proceedings (i.e. a person mentioned in Article 29(b) of the Insolvency Regulation) which concerns or involves the opening of secondary insolvency proceedings in the State pursuant to Article 27 of the Insolvency Regulation, paragraphs 1-3 above must be included. In such a case only, the appropriate alternative in the request for relief referring to secondary proceedings or, as the case may be, territorial insolvency proceedings, should be included.

[Note 2] One alternative version only of paragraph 4 must be included.

Under Council Regulation (EC) No 1346/2000—

the “centre of main interests” should correspond to the place where the debtor conducts the administration of his/her interests on a regular basis and is therefore ascertainable by third parties;

“establishment” means any place of operations where the debtor carries out a non-transitory economic activity with human means and goods.

[Note 3] Where this version of paragraph 4 is appropriate to the case, paragraph 5 should be deleted and the remaining paragraphs renumbered.

[Note 4] Where paragraph 5 is required, one alternative version only of that paragraph must be included.

[Note 5] To be completed only if Council Regulation (EC) No 1346/2000 applies and the debtor’s centre of main interests is situated in the State.

[Note 6] To be completed only if Council Regulation (EC) No 1346/2000 applies, insolvency proceedings in respect of the debtor have been opened in another Member State, and the debtor has an establishment in the State.

[Note 7] To be completed only if Council Regulation (EC) No 1346/2000 applies, insolvency proceedings in respect of the debtor have been opened in another Member State, and one of the conditions in Article 3(4) of the Council Regulation is satisfied.

\*Delete where inapplicable.

(The following affidavit must be filed to verify the petition, and may be endorsed on the petition).

THE HIGH COURT  
BANKRUPTCY

I, the petitioner named in the within petition, make oath and say as follows:

1. The several allegations in the said petition are true.

\*2. (*Where insolvency proceedings are open in another EU Member State*) I refer to a certified copy of the decision /a certificate of the.....Court of.....appointing \*me \*.....of..... as liquidator in respect of the debtor, upon which marked “A” I have signed my name prior to the swearing hereof. [I further refer to a translation of that decision/certificate into the Irish/English language certified by a person competent and qualified for the purpose, upon which marked “B” I have signed my name prior to the swearing hereof.]

Sworn, &c.

\*Delete where inapplicable

No.13

PETITION BY A DEBTOR TO BE ADJUDICATED A BANKRUPT  
THE HIGH COURT  
BANKRUPTCY

No.

The petition of .....of .....shows as follows:

[Note 1] 1. Your petitioner is unable to meet \*his \*her engagements with \*his \*her creditors, as will appear from the statement of affairs and affidavit of your petitioner filed herewith.

[Note 2] 2. Council Regulation (EC) No 1346/2000 applies to the proceedings. Your petitioner’s centre of main interests (determined in accordance with Council Regulation (EC) No 1346/2000) is situated in the State because (*state facts and grounds relied on*).

2. Council Regulation (EC) No 1346/2000 applies to the proceedings. Your petitioner’s centre of main interests is situated within the territory of a Member State of the European Union in which Council Regulation (EC) No 1346/2000 applies (other than the State), namely at.....in..... because (*state facts and grounds relied on*) and your petitioner has an establishment within the State at..... because (*state facts and grounds relied on*).

2. Council Regulation (EC) No 1346/2000 does not apply to the proceedings because (*state facts and grounds relied on*), and your petitioner is domiciled in the State (*or specify which of the alternative requirements of Section 11(1)(d) of the Bankruptcy Act 1988 is fulfilled*).

[Note 3] 3. Insolvency proceedings, which are

\*main proceedings, (in accordance with Article 3(1) of Council Regulation (EC) No 1346/2000)

\*secondary proceedings, (in accordance with Article 3(3) of Council Regulation (EC) No 1346/2000)

\*territorial proceedings, (in accordance with Article 3(4) of Council Regulation (EC) No 1346/2000)

have been opened in respect of your petitioner in a Member State of the European Union to which Council Regulation (EC) No 1346/2000 applies (other than the State), namely in....., by decision of .....made on .....20....  
.....of ..... was appointed by the said decision to be liquidator (within the meaning of Article 2(b) of Council Regulation (EC) No 1346/2000) in those proceedings concerning your petitioner.

\*4. (*Where territorial proceedings are sought and no main proceedings are open in another EU Member State*) The centre of your petitioner's main interests is situated within the territory of a Member State other than the State, and main proceedings have not been opened in another Member State. The condition referred to in \*[Article 3(4)(a)] \*[Article 3(4)(b)] of the Insolvency Regulation is met because (*state facts and grounds relied on, e.g. main proceedings cannot be opened in respect of the debtor where the centre of the debtor's main interests is situated, because of the conditions laid down by the law of that State*).

Your petitioner therefore requests that your petitioner may be adjudged bankrupt

\*[Note 4] in main proceedings, (in accordance with Article 3(1) of Council Regulation (EC) No 1346/2000).

\*[Note 5] in secondary proceedings (in accordance with Article 3(3) of Council Regulation (EC) No 1346/2000).

\*[Note 6] in territorial proceedings (in accordance with Article 3(4) of Council Regulation (EC) No 1346/2000).

YOUR PETITIONER HEREBY UNDERTAKES to this Honourable Court that, in the event of \*his \*her being so adjudged, your petitioner will advertise notice of the adjudication in the manner directed by this Honourable Court and bear the expenses of such advertisement. Your petitioner HEREBY INDEMNIFIES the Official Assignee as to the costs, fees and expenses incurred or to be incurred, in the event of such adjudication, by the Official Assignee and allowed

by the Court. Your petitioner FURTHER UNDERTAKES to lodge such sums as this Honourable Court may direct to cover such costs, fees and expenses.

**Notes:**

[Note 1] In any appropriate case, one of the following statements may be substituted, where applicable, for the statement at paragraph 1:

1. Your petitioner has been subject as a debtor to a Debt Settlement Arrangement which has been terminated under section 83 of the Personal Insolvency Act 2012.

1. Your petitioner has been subject as a debtor to a Debt Settlement Arrangement which under section 84 of the Personal Insolvency Act 2012 is deemed to have failed.

1. Your petitioner has been subject as a debtor to a Personal Insolvency Arrangement which has been terminated under section 122 of the Personal Insolvency Act 2012.

1. Your petitioner has been subject as a debtor to a Personal Insolvency Arrangement which under section 123 of the Personal Insolvency Act 2012 is deemed to have failed.

[Note 2] One alternative version only of paragraph 2 must be included.

Under Council Regulation (EC) No 1346/2000—

the “centre of main interests” should correspond to the place where the debtor conducts the administration of his/her interests on a regular basis and is therefore ascertainable by third parties;

“establishment” means any place of operations where the debtor carries out a non-transitory economic activity with human means and goods.

[Note 3] Paragraph 3 must be included: (a) in any case in which main insolvency proceedings have been opened in another Member State and the debtor’s petition concerns or involves the opening of secondary insolvency proceedings (in accordance with Article 3(3) of Council Regulation (EC) No 1346/2000) in the State pursuant to Article 27 of the Insolvency Regulation (by virtue of Article 29(b) of the Insolvency Regulation), or (b) in any case in which territorial insolvency proceedings (in accordance with Article 3(4) of Council Regulation (EC) No 1346/2000) have been opened in another Member State. In such a case only, the appropriate alternative in the request for relief referring to secondary proceedings or, as the case may be, territorial insolvency proceedings, should be included.

[Note 4] To be completed only if Council Regulation (EC) No 1346/2000 applies and the petitioner’s centre of main interests is situated in the State.

[Note 5] To be completed only if Council Regulation (EC) No 1346/2000 applies, insolvency proceedings in respect of the petitioner have been opened in another Member State, and the petitioner has an establishment in the State.

[Note 6] To be completed only if Council Regulation (EC) No 1346/2000 applies, insolvency proceedings in respect of the petitioner have been opened in another Member State, and one of the conditions in Article 3(4) of the Council Regulation is satisfied.

\*Delete where inapplicable

Dated  
Signed

(Signed)

Witness

(name, address and description of witness)

Received this .....day of .....20..., at the hour of.....o'clock in the.....noon.

(The petition must be accompanied by a statement of affairs in Form 23. The following affidavit must be filed to verify the petition, and may be endorsed on the petition).

THE HIGH COURT

BANKRUPTCY

I,.....of....., the petitioner named in the within petition, make oath and say as follows:

1. The petition contains a full and fair description of me as to my name, trade or profession and last and usual place of abode.

\*2. (Where insolvency proceedings are open in another EU Member State) I refer to a certified copy of the decision /a certificate of the.....Court of.....appointing .....of..... as liquidator in respect of me upon which marked "A" I have signed my name prior to the swearing hereof. [I further refer to a translation of that decision/certificate into the Irish/English language certified by a person competent and qualified for the purpose, upon which marked "B" I have signed my name prior to the swearing hereof.]

3. I have, prior to presenting the petition, made reasonable efforts to reach an appropriate arrangement with my creditors relating to my debts by making a proposal for a \*Debt Settlement Arrangement \*Personal Insolvency Arrangement, to the extent that my circumstances would permit me to enter into such an arrangement. [give details of proposal.]

4. The remaining allegations of fact in the said petition are true.

Sworn, &c.

\*Delete where inapplicable

No. 19

NOTICE OF ADJUDICATION

THE HIGH COURT

BANKRUPTCY

No.

In the matter of ..... a Bankrupt .....of .....was on the .....day of .....20..., adjudged Bankrupt

\*in main proceedings, (in accordance with Article 3(1) of Council Regulation (EC) No 1346/2000).

\*in secondary proceedings, (in accordance with Article 3(3) of Council Regulation (EC) No 1346/2000).

\*in territorial proceedings, (in accordance with Article 3(4) of Council Regulation (EC) No 1346/2000).

\*the Court having determined that Council Regulation (EC) No 1346/2000 does not apply to the proceedings.

The Bankrupt is required to make full disclosure of his property to the Court. Creditors may prove their debts and choose and appoint a creditors' assignee. All persons having in their possession or under their control any money or other property of the Bankrupt should pay or deliver the same, and all debts due to the Bankrupt should be paid to ..... Official Assignee, of ....., to whom creditors may forward their proofs of debt.

Dated  
(Signed).....  
Examiner

Solicitor  
[address]

\*delete where inapplicable

No. 32

NOTICE OF APPOINTMENT OF TRUSTEE IN BANKRUPTCY

THE HIGH COURT

BANKRUPTCY

..... of .....was on the... day of... 20... adjudged bankrupt.

At a meeting of the creditors held at .....on the... day of..... 20..., it was resolved by the requisite majority in number and value of the creditors that the estate of the said ..... be wound up by a trustee and committee of inspection, ..... of ....., being appointed trustee for that purpose, and the Court on application made to it in that behalf under section 110 of the Bankruptcy Act 1988 on the ....day of ..... 20.... ordered that the property of the bankrupt be so wound up.

All persons having in their possession or control any money or other property of the Bankrupt should pay or deliver the same, and all debts due to the Bankrupt should be paid, to the said ..... at his address aforementioned, to whom creditors may forward their proofs of debt.

(Signed)  
Solicitors for the Trustee

NOTICE OF ORDER FOR ADMINISTRATION OF ESTATE OF DECEASED INSOLVENT

THE HIGH COURT

BANKRUPTCY

No.

In the matter of ..... Insolvent Deceased

An order was made on the .....day of .....20....for the administration in bankruptcy of the estate of the above named deceased

\*in main proceedings, (in accordance with Article 3(1) of Council Regulation (EC) No 1346/2000).

\*in secondary proceedings, (in accordance with Article 3(3) of Council Regulation (EC) No 1346/2000).

\*in territorial proceedings, (in accordance with Article 3(4) of Council Regulation (EC) No 1346/2000).

\*the Court having determined that Council Regulation (EC) No 1346/2000 does not apply to the proceedings.

Creditors may prove their debts and choose and appoint a creditors' assignee. All persons having in their possession or under their control any money or other property of the deceased's estate should pay or deliver the same, and all debts due to the deceased's estate should be paid to ..... Official Assignee, of ....., to whom creditors may forward their proofs of debt.

Dated  
(Signed).....  
Examiner

Solicitor  
[address]

\*delete where inapplicable

No. 34A

CERTIFICATE UNDER SECTION 85(3G) OF THE BANKRUPTCY ACT  
1988

THE HIGH COURT

BANKRUPTCY

No.

I hereby certify pursuant to section 85(3G) of the Bankruptcy Act 1988 that ALL THAT AND THOSE the estate, right, title and interest of ....., of .....in [*give short description of property indicating whether the same is a freehold or leasehold interest and whether registered or unregistered and, where registered, specifying the folio number(s) concerned*],which had vested in me pursuant to the provisions of the Bankruptcy Act 1988 by virtue of the adjudication of the said .....as a bankrupt on the ... day of .....20..., has re-vested in the said .....in accordance with section 85 of the Bankruptcy Act 1988.

Dated  
(Signed).....  
Official Assignee

\*delete where inapplicable

No. 39

SUMMONS — SECTION 21, BANKRUPTCY ACT 1988

THE HIGH COURT

BANKRUPTCY

No.

To ..... of [*state address*];

You are hereby commanded to be and appear before the Court, at the Four Courts, Dublin, on the... day of... 20... at the hour of... o'clock in the... noon [and, where appropriate] to be examined [concerning the trade, dealings, affairs or property of the bankrupt] [and, where appropriate] [and also to bring with you and produce at the time and place aforesaid any books of account, other papers or records (including copies of such books of account, other papers or records held in electronic form) in your possession or control relating to the matters aforesaid, including in particular the following:—]

HEREIN FAIL NOT AT YOUR PERIL

GIVEN under the seal of the Court at Dublin, this ..... day of .....

(Signed).....  
Examiner.

EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These rules amend Order 76 of the Rules of the Superior Courts, and amend, add and delete certain forms in Appendix O to those rules to facilitate the operation of the Bankruptcy (Amendment) Act 2015.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ó  
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52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2  
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