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SCOTTISH STATUTORY INSTRUMENTS

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**2014 No. 225**

**The Bankruptcy (Scotland) Regulations 2014**

*Sequestration Process*

**Application of the 1985 Act to limited partnerships**

**8.**—(1) The application of the 1985 Act to the sequestration of the estate of a limited partnership is subject to the modifications specified in this regulation.

(2) Any reference in the 1985 Act or in legislation made under that Act (unless the context suggests otherwise) to a partnership (other than in section 6(1)) or to a firm shall be construed as including a reference to a limited partnership.

(3) In the application of section 9 of the 1985 Act<sup>(1)</sup> to limited partnerships—

- (a) the Accountant in Bankruptcy has jurisdiction if a limited partnership is registered in Scotland and has a place of business in Scotland; and
- (b) the sheriff has jurisdiction if a limited partnership is registered in Scotland and has a place of business within the sheriff's sheriffdom.

(4) Without prejudice to the provisions of sections 14(1), 15(5) and 17(8) of the 1985 Act<sup>(2)</sup>, the sheriff clerk must send a copy of every court order mentioned in those sections to the Registrar of Limited Partnerships in Scotland.

(5) In the case of a debtor application by a limited partnership, the Accountant in Bankruptcy must send a copy of the determination to the Registrar of Limited Partnerships in Scotland<sup>(3)</sup>.

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(1) Section 9 was amended by the 2007 Act, section 14, section 16 and schedule 1, paragraph 7, the 2014 Act, schedule 3, paragraph 8 and by [S.I. 2003/2109](#).

(2) Section 14(1) was amended by the 2007 Act, schedule 1, paragraph 12, the 2014 Act, schedule 3, paragraph 11 and by [S.S.I. 2004/468](#), [S.S.I. 2011/141](#) and [S.S.I. 2013/225](#). Section 15(5) was amended by the 2007 Act, section 16 and by [S.S.I. 2011/141](#). Section 17(8) was amended by the 2007 Act, section 16 and schedule 6 and the 2014 Act, section 26, schedule 3, paragraph 14 and schedule 4.

(3) This regulation re-enacts regulation 9 of the 2008 Regulations.