

SCOTTISH STATUTORY INSTRUMENTS

2019 No. 94

The Insolvency (EU Exit) (Scotland) (Amendment) Regulations 2019

PART 2

Amendments to secondary legislation

Amendment of the Bankruptcy Fees (Scotland) Regulations 2018

- 5.—(1) The Bankruptcy Fees (Scotland) Regulations 2018^{M1} are amended as follows.
- (2) In regulation 2 omit the definition of “member State insolvency practitioner”.
- (3) In Part 2 of the Table of Fees in the schedule (fees for other functions of the Accountant in Bankruptcy) omit item 21 (fee for conversion of a trust deed into sequestration).

Commencement Information

- I1** Reg. 5 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

Marginal Citations

- M1** [S.S.I. 2018/127](#). A relevant amendment has been made by [S.S.I. 2017/210](#).

Amendment of the Public Services Reform (Insolvency) (Scotland) Order 2016

6. In the Public Services Reform (Insolvency) (Scotland) Order 2016^{M2} omit article 15(6)(b) and the word “or” immediately preceding it.

Commencement Information

- I2** Reg. 6 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

Marginal Citations

- M2** [S.S.I. 2016/141](#). A relevant amendment has been made by [S.S.I. 2017/210](#).

Amendment of the Bankruptcy (Scotland) Regulations 2016

- 7.—(1) The Bankruptcy (Scotland) Regulations 2016^{M3} are amended as follows.
- (2) In schedule 1 (forms), in form 11 (statement of claim by creditor) omit note 4 (particulars of each debt: claim by Member State liquidator).
- (3) In schedule 2 (register of insolvencies), section B (protected trust deeds for creditors)—

Changes to legislation: There are currently no known outstanding effects for the The Insolvency (EU Exit) (Scotland) (Amendment) Regulations 2019, PART 2. (See end of Document for details)

- (a) after “Regulation (EU) 2015/848” insert “ (as it forms part of domestic law on and after exit day) ”, and
- (b) omit from “unless the granter” to “within the meaning of the said EU Regulation”.

Commencement Information

I3 Reg. 7 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

Marginal Citations

M3 S.S.I. 2016/397. Relevant amendments have been made by S.S.I. 2017/210.

Amendment of the Bankruptcy (Applications and Decisions) (Scotland) Regulations 2016

8.—(1) The Bankruptcy (Applications and Decisions) (Scotland) Regulations 2016 ^{M4} are amended as follows.

(2) Omit regulation 17 (conversion of protected trust deed into bankruptcy).

(3) In the schedule, omit forms 6 (conversion of protected trust deed into bankruptcy: section 190 application) and 7 (conversion of protected trust deed into bankruptcy: section 192 award).

Commencement Information

I4 Reg. 8 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

Marginal Citations

M4 S.S.I. 2016/295. Relevant amendments have been made by S.S.I. 2017/210.

Saving

9.—^{F1}(1)

(2) The amendments made by regulations 2 to 8 do not apply [^{F2}in respect of any insolvency proceedings and actions falling within Article 67(3)(c) of the withdrawal agreement].

^{F3}(3)

Textual Amendments

F1 Reg. 9(1)(a) omitted (31.12.2020 immediately before IP completion day) by virtue of The Insolvency (Amendment) (EU Exit) (Scotland) Regulations 2020 (S.S.I. 2020/337), regs. 1, 2(2)(a)

F2 Words in reg. 9(2) substituted (31.12.2020 immediately before IP completion day) by The Insolvency (Amendment) (EU Exit) (Scotland) Regulations 2020 (S.S.I. 2020/337), regs. 1, 2(2)(b)

F3 Reg. 9(3) omitted (31.12.2020 immediately before IP completion day) by virtue of The Insolvency (Amendment) (EU Exit) (Scotland) Regulations 2020 (S.S.I. 2020/337), regs. 1, 2(2)(c)

Commencement Information

I5 Reg. 9 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

Changes to legislation:

There are currently no known outstanding effects for the The Insolvency (EU Exit) (Scotland) (Amendment) Regulations 2019, PART 2.