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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 534**

**Act of Sederunt (Sheriff Court Bankruptcy  
Rules) 1996 Amendment 2004**

**Amendment of Form 3**

**6.—**(1) Form 3 contained in Appendix 1 of the Schedule to the Principal Rules shall be amended by insertion at the end of paragraph 1 of the Statement of Facts of that form:

“**1A.** As far as is within the knowledge of the petitioner:

- (a) the debtor has his centre of main interests or an establishment in the United Kingdom as defined in the EC Regulation on insolvency proceedings<sup>(1)</sup>;
- (b) the debtor has his centre of main interests or an establishment as defined above in a Member state other than the United Kingdom;
- (c) the debtor has neither his centre of main interests nor an establishment in the United Kingdom nor in a Member state other than the United Kingdom.”

(2) Form 3 contained in Appendix 1 of the Schedule to the Principal Rules shall be amended by insertion at the end of paragraph 2 of that form:—

“Attached is a statement by each of the petitioning creditors stating that the debtor of the debt in relation to which the petitioning creditor is petitioning is not the subject of an approved debt payment programme within the meaning of section 2 of the Debt Arrangement and Attachment (Scotland) Act 2002<sup>(2)</sup> or the debtor to which the petition relates is in an approved debt payment programme but the debt in relation to which he is petitioning is not of a class covered by section 4(5)(b) of that Act.”

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(1) Council Regulation (EC) No. 1346/2000 of 29th May 2000 on insolvency proceedings, O.J. No. L 160, 30.06.00. p.1 which came into force on 31st May 2002.  
(2) 2002 asp 17.