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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 393**

**The Insolvency (Scotland) Rules 1986 Amendment Rules 2008**

**Application of the Bankruptcy Act**

**3.** In Rule 4.16(1)–

- (a) in paragraph (1), for “paragraph (2)” substitute “paragraphs (2) and (3)”;
- (b) at the start of paragraph (2) insert “Subject to paragraph (3) below,”; and
- (c) after paragraph (2) insert–

“(3) Where the winding up was immediately preceded by an administration, the references to the date of sequestration in paragraph 1(1) of Schedule 1 to the Bankruptcy Act and the second reference to that date in paragraph 1(2) shall be construed as references to the date on which the company entered administration.”.