
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 141

The Public Services Reform (Insolvency) (Scotland) Order 2016

Savings

15.—(1) Where this article applies, subject to article 1(3) the Act continues to have effect on and after the day mentioned in article 1(4) as if the amendments made by articles [F¹4 and 8 to 10] had not been made.

(2) This article applies where, in a receivership, a receiver is appointed in respect of a company under section 51 of the Act before the day mentioned in article 1(4).

(3) This article applies where a company goes into liquidation upon a resolution for voluntary winding up passed before the day mentioned in article 1(4).

(4) This article applies where—

(a) there is an application for the appointment of a provisional liquidator under section 135 of the Act; or

(b) a company goes into liquidation on the making of a winding up order, on a winding up petition presented before the day mentioned in article 1(4).

(5) This article applies where—

(a) there is an application for the appointment of a provisional liquidator under section 135 of the Act; or

(b) a company goes into liquidation on the making of a winding up order, on a winding up petition presented on or after the day mentioned in article 1(4) if, at the time the winding up petition is presented, the company is in liquidation upon a resolution for voluntary winding up passed before the day mentioned in article 1(4).

(6) In this article—

“resolution for voluntary winding up” includes a resolution which is deemed to occur by virtue of—

(a) paragraph 83(6)(b) of Schedule B1 of the Act (administration); ^{F²}...

(b) ^{F²}...

“winding up petition” includes an administration application under paragraph 12 of Schedule B1 to the Act which the court treats as a winding up petition under paragraph 13(1)(e) of that Schedule.

Textual Amendments

F1 Words in art. 15(1) substituted (1.8.2017) by [The Public Services Reform \(Corporate Insolvency and Bankruptcy\) \(Scotland\) Order 2017 \(S.S.I. 2017/209\)](#), arts. 1(2), **8(2)**

F2 Art. 15(6) and word omitted (31.12.2020) by virtue of [The Insolvency \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/94\)](#), regs. 1, **6** (with reg. 9) (as amended by S.S.I. 2020/337, regs. 1, 2); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the The Public Services Reform (Insolvency) (Scotland) Order 2016, Section 15. (See end of Document for details)

Commencement Information

II Art. 15 in force at 1.4.2016, see [art. 1\(2\)](#)

Status:

Point in time view as at 31/12/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Public Services Reform (Insolvency) (Scotland) Order 2016, Section 15.