
EXPLANATORY NOTE

(This note is not part of the Act of Sederunt)

This Act of Sederunt makes three amendments to the court rules on corporate insolvency.

Paragraph 2(2) inserts a new paragraph (1A) into rule 74.30A of the Rules of the Court of Session 1994 to set out what must be contained in an application under section 176A of the Insolvency Act 1986 (c.45). This was previously prescribed by rule 7.13A of the Insolvency (Scotland) Rules 1986 (S.I. 1986/1915) but was omitted when those Rules were replaced.

Paragraph 3(2) inserts into the Sheriff Court Company Insolvency Rules 1986 references to additional sections in the Insolvency Act 1986 so as to impose an obligation on the sheriff clerk to send to the liquidator a certified copy of the interlocutor appointing the liquidator in those cases. Paragraph 3(3) inserts equivalent provision into Rule 31A of those Rules to that inserted by paragraph 2(2) of this Act of Sederunt into the Rules of the Court of Session 1994.