
STATUTORY INSTRUMENTS

1992 No. 272

Act of Sederunt (Judicial Factors Rules) 1992

PART II

ADDITIONAL RULES APPLYING TO FACTORS APPOINTED
UNDER SECTION 11A OF THE JUDICIAL FACTORS
(SCOTLAND) ACT 1889 ON ESTATES OF DECEASED PERSONS

Claims

26.—(1) The factor shall examine the claims of the creditors in order to ascertain whether the debts are properly due from the estate of the deceased, and may—

- (a) call for further evidence in support of the claims;
- (b) if he sees fit, require a creditor to constitute such claim by decree in a competent court in an action in which the factor shall be called as a defender.

(2) For the purpose of ranking and payment of creditors, the date of the factor's appointment shall be equivalent to the date of sequestration.