
STATUTORY INSTRUMENTS

1993 No. 899 (S.124)

COURT OF SESSION, SCOTLAND

**Act of Sederunt (Rules of the Court of Session
Amendment) (Register of Insolvencies) 1993**

Made - - - - - *25th March 1993*

Coming into force - - - - - *19th April 1993*

The Lords of Council and Session, under and by virtue of the powers conferred on them by section 5 of the Court of Session Act 1988(1), section 1A(1)(b) of the Bankruptcy (Scotland) Act 1985(2) and of all other powers enabling them in that behalf, do hereby enact and declare:

Citation and commencement

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Rules of the Court of Session Amendment) (Register of Insolvencies) 1993 and shall come into force on 19th April 1993.

(2) This Act of Sederunt shall be inserted in the Books of Sederunt.

Amendment of the Rules of the Court of Session

2.—(1) The Rules of the Court of Session(3) shall be amended in accordance with the following sub-paragraphs.

(2) In rule 201A(4) (Forms prescribed under the Bankruptcy (Scotland) Act 1985) in paragraph (1) for the words “section 1(1)(c) of the said Act of 1985 shall be in the form set out” substitute the words “section 1A(1)(b) of the said Act of 1985 shall contain the information specified”.

(3) In the Appendix (Forms) to the Rules of the Court of Session, for Form 34A (form of register of insolvencies)(5) substitute Form 34A in the Schedule to this Act of Sederunt.

(1) 1988 c. 36.

(2) 1985 c. 66; section 1A(1)(b) was inserted by section 1(1) of the Bankruptcy (Scotland) Act 1993 (c. 6).

(3) S.I.1965/321.

(4) Rule 201A was inserted by S.I. 1986/514.

(5) Form 34A was inserted by S.I. 1986/514.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Edinburgh,
25th March 1993

J.A.D. Hope
Lord President, I.P.D.

SCHEDULE

Paragraph 2(3)

Form 34A Information to be contained in the Register of Insolvencies

A. Sequestrations

Name of debtor

Debtor's residence and his principal place of business (if any) at date of sequestration or date of death

Date of death in case of deceased debtor

Occupation of debtor

Name and address of petitioner for sequestration

Court by which sequestration awarded

Sheriff Court to which sequestration remitted (where applicable)

Date of first order

Date of award of sequestration

Date of recall of sequestration (where applicable)

Date certificate for summary administration of sequestration of debtor's estate granted (where applicable)

Date certificate for summary administration of sequestration of debtor's estate withdrawn (where applicable)

Name and address of interim trustee and date of appointment

Level of debt when interim trustee's statement of debtor's affairs is produced

Level of assets when interim trustee's statement of debtor's affairs is produced

Name and address of permanent trustee and date of confirmation of appointment

Date of debtor's discharge and whether on composition or by operation of law

Date of interim trustee's discharge

Date of permanent trustee's discharge

B. Protected Trust Deeds for Creditors

Name and address of granter of trust deed

Name and address of trustee under the deed

Date (or dates) of execution of deed

Date on which copy deed and certificate of accession were registered

Date of registration of statement indicating how the estate was realised and distributed and certificate to the effect that the distribution was in accordance with the trust deed

Date of trustee's discharge

Date of registration of copy of order of court that non acceding creditor is not bound by trustee's discharge.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

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

This Act of Sederunt amends the Rules of the Court of Session by amending rule 201A and Form 34A to specify the information which is to be contained in the register of insolvencies maintained by the Accountant in Bankruptcy in accordance with section 1A(1)(b) of the Bankruptcy (Scotland) Act 1985.