

SCHEDULE 3

PROCEDURAL MATTERS IN SCOTLAND

PART 3

COURT PROCEDURE AND PRACTICE

The hearing

6.—(1) At the hearing of the application, the applicant and any of the following persons (not being the applicant) may appear or be represented—

- (a) the foreign representative;
- (b) the debtor and, in the case of any debtor other than an individual, any one or more directors or other officers of the debtor, including—
 - (i) where applicable, any person registered under Part 23 of the Companies Act 1985⁽¹⁾ as authorised to represent the debtor in respect of its business in Scotland;
 - (ii) in the case of a debtor which is a partnership, any person who is a member of the partnership;
- (c) if a British insolvency officeholder is acting in relation to the debtor, that person;
- (d) if any person has been appointed an administrative receiver of the debtor or as a receiver or manager of the property of the debtor, that person;
- (e) if a member State liquidator has been appointed in main proceedings in relation to the debtor, that person;
- (f) if a foreign representative has been appointed in any other foreign proceeding regarding the debtor, that person;
- (g) any person who has presented a petition for the winding up or sequestration of the debtor in Scotland;
- (h) any person who is or may be entitled to appoint an administrator of the debtor under paragraph 14 of Schedule B1 to the 1986 Act⁽²⁾ (appointment of administrator by holder of qualifying floating charge);
- (i) if the debtor is a debtor who is of interest to the Financial Services Authority, that Authority; and
- (j) with the permission of the court, any other person who appears to have an interest justifying his appearance.

(1) 1985 c. 6.

(2) Schedule B1 was inserted by the Enterprise Act 2002 (c. 40), section 248(2) and Schedule 16.