
STATUTORY INSTRUMENTS

2009 No. 350

The Bank Administration (Scotland) Rules 2009

PART 1

Introduction

Interpretation

4.—(1) The following expressions used in these Rules take their meaning from the Banking Act 2009⁽¹⁾ (in accordance with section 11 of the Interpretation Act 1978⁽²⁾ – construction of subordinate legislation) or are as expressly defined below—

- (a) “bank” (s. 2);
- (b) “bank administration” (s. 141(4)(a));
- (c) “bank administration order” (s. 141(1));
- (d) “bank administrator” (s. 141(1));
- (e) “the court” (the Court of Session)— s. 166(1));
- (f) “the FSA” (the Financial Services Authority— s. 166(2));
- (g) “Objective 1” (support for commercial purchaser or bridge bank— s. 138(1));
- (h) “Objective 1 Achievement Notice” (s. 139(4));
- (i) “Objective 2” (normal administration— s. 140(1));
- (j) “residual bank” (s. 136(2));
- (k) “resolution fund order” (s. 49(3));
- (l) “the 1986 Act” means the Insolvency Act 1986;
- (m) “the 1986 Rules” means the Insolvency (Scotland) Rules 1986⁽³⁾; and
- (n) “the 2009 Act” means the Banking Act 2009.

(2) Any notice or document sent electronically pursuant to these Rules shall be treated as having been sent or given to the person if—

- (a) it is sent by email to the person’s last known email address; and
- (b) the email contains a prompt asking the person for an electronic receipt saying that the email has been read.

⁽¹⁾ 2009 c.1.

⁽²⁾ 1978 c.30.

⁽³⁾ S.I. 1986/1915. The Insolvency (Scotland) Rules have been amended by a number of instruments.