
STATUTORY INSTRUMENTS

2010 No. 2584

The Building Society Insolvency (Scotland) Rules 2010

PART 14

GENERAL PROVISIONS

Giving of notices, etc

111.—(1) Apply rule 7.21 of the 1986 Rules(1).

(2) In rule 7.21(1) for the words “the Act or the Rules” substitute “the Act as applied by the 2009 Act or these Rules”.

Service outside the United Kingdom

112. Where, for the purposes of building society insolvency proceedings, there is a requirement to effect service on a person outwith the United Kingdom, the court may, on application, order service to be effected in such manner as it thinks fit.

Sending by post

113. Apply rule 7.22 of the 1986 Rules(2).

Certificate of giving notice, etc.

114. Apply rule 7.23 of the 1986 Rules.

Validity of proceedings

115.—(1) Apply rule 7.24 of the 1986 Rules.

(2) For the words “the Act or the Rules”, substitute “the Act as applied by the 2009 Act or these Rules”.

Evidence of proceedings at meetings

116. Apply rule 7.25 of the 1986 Rules.

Right to list of creditors and copy documents

117.—(1) Apply rule 7.26 of the 1986 Rules(3).

(2) For rule 7.26(1) substitute “Paragraph (2) applies to building society insolvency proceedings.”.

(1) Rule 7.21 was amended by paragraph 47 of Schedule 1(I) to [S.I. 1987/1921](#).

(2) Rule 7.22 was amended by paragraph 48 of Schedule 1(I) to [S.I. 1987/1921](#).

(3) Rule 7.26 was amended by paragraph 49 of Schedule 1(I) to [S.I. 1987/1921](#), and regulation 28(2) of Part II of [S.I. 2003/2109](#).

(3) Ignore rule 7.26(2A) where it first occurs referring to member State liquidator.

Confidentiality of documents

118. Apply rule 7.27 of the 1986 Rules(4).

Insolvency practitioner's caution

119.—(1) Apply rule 7.28 of the 1986 Rules.

(2) For rule 7.28(2) substitute—

“(2) It is the duty of the liquidation committee in a building society insolvency to review from time to time the adequacy of the building society liquidator’s caution”.

Forms for use in insolvency proceedings

120. The forms contained in Schedule 5(5) to the 1986 Rules shall be used, with such variations as circumstances require.

Fees, expenses, etc

121. Apply rule 7.31 of the 1986 Rules(6).

Power of court to cure defects in procedure

122. Apply rule 7.32 of the 1986 Rules.

Sederunt book

123.—(1) Apply rule 7.33 of the 1986 Rules(7).

(2) In rule 7.33 for the words “the Act or of the Rules”, substitute “the Act as applied by the 2009 Act and these Rules”.

Disposal of building society's books, papers and other records

124. Apply rule 7.34(1) and (3) of the 1986 Rules(8). In paragraph (3), ignore subparagraphs (b) and (c).

Information about time spent on a case

125. Apply rule 7.36 of the 1986 Rules(9).

(4) Rule 7.27 was amended by paragraph 50 of Schedule 1(I) to [S.I. 1987/1921](#).

(5) Schedule 5 was amended by rules 14 and 15 of [S.I. 2009/662\(S.1\)](#).

(6) Rule 7.31 was amended by article 8 of Part 1 of [S.I. 2003/2108](#).

(7) Rule 7.33 was amended by paragraph 51 of Schedule 1(I) to [S.I. 1987/1921](#), and paragraph 10 of Schedule 2(I) to [S.I. 2003/2111](#).

(8) Rule 7.34 was amended by paragraph 52 of Schedule 1(I) to [S.I. 1987/1921](#), and rule 14 of [S.I. 2006/734](#).

(9) Rule 7.36 was inserted by rule 5 of [S.S.I. 2008/393](#).