
STATUTORY INSTRUMENTS

2010 No. 688

The Insolvency (Scotland) Amendment Rules 2010

Citation, commencement and interpretation

1. These Rules may be cited as the Insolvency (Scotland) Amendment Rules 2010 and come into force on 6th April 2010.

2. In these Rules “the principal Rules” means the Insolvency (Scotland) Rules 1986(1).

Amendments to the principal Rules

3. The principal Rules are amended in the manner provided for in Schedule 1 to these Rules.

Transitional provisions – general

4.—(1) The amendments to the principal Rules by these Rules apply as provided by paragraphs (2) and (3), except where Rules 5 and 6 provide differently.

(2) They apply where a person agrees to act as nominee in respect of a proposal for a company voluntary arrangement on or after 6th April 2010.

(3) They apply where a company enters administration on or after 6th April 2010, except where—

- (a) it enters administration by virtue of an administration order under paragraph 10 of Schedule B1 to the Insolvency Act 1986(2) on an application made before 6th April 2010;
- (b) the administration is immediately preceded by a voluntary liquidation in respect of which the resolution to wind up was passed before 6th April 2010; or
- (c) the administration is immediately preceded by a liquidation on the making of a winding-up order on a petition which was presented before 6th April 2010.

Revocations and amendments relating to new provisions in the Act

5. The amendments made by the following paragraphs of Schedule 1 to these Rules apply on and after 6th April 2010 in all cases, namely paragraphs 2, 3, 4, 22, 27 (in so far as that paragraph inserts new Rules 1.16C to 1.16E), 68 (in so far as that paragraph inserts new Rules 2.25B to 2.25E), 70 (in so far as that paragraph inserts a new Rule 2.26B), 83, 85, 92, 94 and 114.

Amendments relating to preparation of proposals for voluntary arrangements

6. The amendments made by paragraphs 5, 11 and 15 of Schedule 1 to these Rules apply where a copy of the proposal for a company voluntary arrangement is delivered to the intended nominee on or after 6th April 2010.

(1) [S.I. 1986/1915](#), relevant amending instruments are [S.I. 1987/1921](#), [S.I. 2002/2709](#), [S.I. 2003/2108](#), [S.I. 2003/2109](#), [S.I. 2003/2111](#), [S.I. 2006/734](#) and [S.I. 2009/662](#).

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

Status: This is the original version (as it was originally made).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

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