

SCHEDULE

[^{F1}PART 5

Amendments to the Insolvency (Scotland) Rules 1986

Textual Amendments

- F1** Sch. 1 Pt. 5 revoked in so far as it amends the 1986 Rules in relation to winding up (6.4.2019) by The Insolvency (Scotland) (Receivership and Winding up) Rules 2018 (S.S.I. 2018/347), rule 1, **sch. 1 para. 1**
- Sch. 1 Pt. 5 revoked in so far as it amends the 1986 Rules in relation to CVAs and administration (6.4.2019) by The Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018 (S.I. 2018/1082), rule 1, **Sch. 1**

Rule 0.2 Interpretation

62. In Rule 0.2 (interpretation)—

- (a) in the definition of “centre of main interests” for “EC” substitute “EU”;
- (b) for the definition of “EC Regulation” substitute—
- (c) for the definition of establishment substitute—
- (d) for the definition of “main proceedings” substitute—
 - ““main proceedings” means “proceedings opened in accordance with Article 3(1) of the EU Regulation and falling within the definition of insolvency proceedings in Article 2(4) of the EU Regulation and which—
 - (a) in relation to Scotland are set out in Annex A to the EU Regulation under the heading “United Kingdom”; and
 - (b) in relation to another member State, are set out under the heading relating to that member State;”
- (e) for the definition of “member State liquidator” substitute—
 - ““member State liquidator” means a person falling within the definition of “insolvency practitioner” in Article 2(5) of the EU Regulation appointed in proceedings to which the EU Regulation applies in a member State other than the United Kingdom”;
- (f) for the definition of “secondary proceedings” substitute—
 - ““secondary proceedings” means proceedings opened in accordance with Article 3(2) and (3) of the EU Regulation and falling within the definition of insolvency proceedings in Article 2(4) of that Regulation and which—
 - (a) in relation to Scotland are set out in Annex A to that Regulation under the heading “United Kingdom”;
 - (b) and in relation to another member State are set out under the heading relating to that member State”;
- (g) for the definition of “territorial proceedings” substitute—
 - ““territorial proceedings” means proceedings opened in accordance with Article 3(2) and (4) of the EU Regulation and falling within the definition of insolvency proceedings in Article 2(4) of the EU Regulation and which—

Changes to legislation: There are currently no known outstanding effects for the The Insolvency Amendment (EU 2015/848) Regulations 2017, Paragraph 62. (See end of Document for details)

- (a) in relation to Scotland are set out in Annex A to that Regulation under the heading “United Kingdom”;
- (b) and in relation to another member State are set out under the heading relating to that member State;”]

Commencement Information

II Sch. para. 62 in force at 26.6.2017, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Insolvency Amendment (EU 2015/848) Regulations 2017, Paragraph 62.