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STATUTORY INSTRUMENTS

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**2018 No. 1082**

The Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018

PART 3

ADMINISTRATION

CHAPTER 15

Claims by and distributions to Creditors

**Order of priority of expenses of administration**

**3.116.**—(1) Subject to rule 3.51 the expenses of the administration are payable out of the assets in the following order of priority—

- (a) any outlays properly chargeable or incurred by the administrator in carrying out its functions in the administration, except those outlays specifically mentioned in the following sub-paragraphs;
- (b) the cost, or proportionate cost, of any caution provided by an administrator in accordance with the Act or these Rules;
- (c) the expenses of the applicant in the administration, and of any person appearing in the petition whose expenses are allowed by the court;
- (d) the remuneration or emoluments of any person who has been employed by the administrator to perform any services for the company, as required or authorised by or under the Act or these Rules;
- (e) the remuneration of the administrator determined in accordance with rules 3.95 to 3.101;
- (f) the amount of any corporation tax on chargeable gains accruing on the realisation of any asset of the company (without regard to whether the realisation is effected by the administrator, a secured creditor or otherwise).