
STATUTORY INSTRUMENTS

2022 No. 1239

The Payment and Electronic Money
Institution Insolvency (Scotland) Rules 2022

PART 12

Provisions of general effect

CHAPTER 4

Notifications to the registrar of companies

Application of Chapter 4

182. This Chapter applies where a return, notice, document or other information is to be sent or delivered to the registrar of companies under the Regulations or these Rules. For the purposes of this Chapter, “notification” means any return, notice, document or other information which is to be sent or delivered to the registrar of companies.

Information to be contained in all notifications to the registrar of companies

183.—(1) A notification to be sent to the registrar of companies under the Regulations or these Rules must specify—

- (a) the registered name of the institution,
 - (b) its registered number,
 - (c) the nature of the notification,
 - (d) the regulation or the rule under which the notification is made,
 - (e) the date of the notification,
 - (f) the name and postal address of the person sending or delivering the notification,
 - (g) the capacity in which that person is acting in respect of the institution.
- (2) The notification must be authenticated by the person sending or delivering the notification.

Notification relating to the administrator

184. In addition to the information required by rule 183, a notification relating to the office of the administrator must also specify—

- (a) the name and business address of the administrator,
- (b) the date of the event notified,
- (c) where the notification relates to an appointment, the person, body or court making the appointment,
- (d) where the notification relates to the termination of an appointment, the reason for that termination (for example, resignation).

Notifications relating to documents

185. In addition to the information required by rule 183, a notification relating to a document other than a court order must also specify the nature of the document, and either—

- (a) the date of the document, or
- (b) where the document relates to a period of time, the period of time to which the document relates.

Notifications relating to court orders

186. In addition to the information required by rule 183, a notification relating to a court order must also specify the following—

- (a) the nature of the court order,
- (b) the name of the court,
- (c) the date of the order.

Notifications relating to other events

187. In addition to the information required by rule 183, a notification relating to any other event (for example the coming into force of a moratorium) must specify the following—

- (a) the nature of the event including the regulation or rule under which it took place,
- (b) the date the event occurred.

Notifications of more than one nature

188. A notification which includes two or more of the types of notification set out in rules 183 to 187 must satisfy the requirements applying in respect of each of those notifications.

Notifications made to other persons at the same time

189.—(1) Where under the Regulations or these Rules a notification is to be sent to another person at the same time that it is to be sent to the registrar of companies, that requirement may be satisfied by sending to that other person a copy of the notification sent to the registrar of companies.

- (2) Paragraph (1) does not apply—
 - (a) where additional information is prescribed for the notification to the other person, or
 - (b) where the notification to the registrar of companies is incomplete.