
STATUTORY INSTRUMENTS

2022 No. 1239

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

PART 12

Provisions of general effect

CHAPTER 6

Periods of time and caution

Periods of time expressed in days

- 196.**—(1) This rule applies to the calculation of a period of time expressed in days.
(2) A period of time expressed as a number of days is to be computed as clear days.
(3) In this rule, “clear days” means that in computing the number of days the following are not included—
- (a) the day on which the period begins,
 - (b) if the end of the period is defined by reference to an event, the day on which that event occurs.

Periods of time expressed in months

- 197.**—(1) This rule applies to the calculation of a period of time expressed in months.
(2) The beginning and the end of a period expressed in months are to be determined as follows—
- (a) if the beginning of the period is specified—
 - (i) the month in which the period ends is the specified number of months after the month in which it begins,
 - (ii) the date in the month on which the period ends is—
 - (aa) the day before the date corresponding to the date in the month on which it begins, or
 - (bb) if there is no such date in the month in which it ends, the last day of that month,
 - (b) if the end of the period is specified—
 - (i) the month in which the period begins is the specified number of months before the month in which it ends,
 - (ii) the date in the month on which the period begins is—
 - (aa) the day after the date corresponding to the date in the month on which it ends, or

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(bb) if there is no such date in the month in which it begins, the last day of that month.

Administrator's caution

198.—(1) Wherever under these Rules any person has to appoint or certify the appointment of an administrator, that person must, before making or certifying the appointment, be satisfied that the person appointed or to be appointed has caution for the proper performance of that office.

(2) It is the duty of the creditors' committee to review from time to time the adequacy of the administrator's caution.

(3) The cost of the administrator's caution must be paid as an expense of the proceedings.

Service on joint administrators

199. Where there are joint administrators in a special administration, service on one of them is to be treated as service on all of them.