
STATUTORY INSTRUMENTS

2006 No. 772 (S. 8)

INSOLVENCY, SCOTLAND
COMPANIES

The Energy Administration (Scotland) Rules 2006

<i>Made</i>	- - - -	<i>13th March 2006</i>
<i>Laid before Parliament</i>		<i>15th March 2006</i>
<i>Coming into force</i>		<i>6th April 2006</i>

THE ENERGY ADMINISTRATION (SCOTLAND) RULES 2006

PART 1

Construction and Interpretation

1. Citation and commencement
2. Construction and interpretation
3. Application

PART 2

Appointment of Energy Administrator by Court

4. Form of application
5. Service of petition
6. Expenses
7. Notice of dismissal of application for an energy administration order

PART 3

Process of Energy Administration

8. Notification and advertisement of energy administrator's appointment
9. Notice requiring statement of affairs
10. Statements of affairs and statements of concurrence
11. Limited disclosure
12. Release from duty to submit statement of affairs; extension of time
13. Expenses of statement of affairs
14. Energy administrator's proposals

Status: This is the original version (as it was originally made).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

PART 4

Meetings and Reports

15. Meetings generally and notice
16. Adjournment
17. The chairman at meetings
18. Quorum at meeting of creditors
19. Chairman of meeting as proxy holder
20. Meeting following nomination of alternative liquidator
21. Entitlement to vote (creditors and members)
22. Hire-purchase, conditional sale and hiring agreements
23. Disposal of secured property
24. Resolutions
25. Report of Meeting
26. Revision of the energy administrator's proposals
27. Reports to creditors

PART 5

Claims in Energy Administration

28. Submission of claims
29. Secured debts
30. Entitlement to vote and draw dividend
31. Adjudication of claims
32. Evidence in relation to claims
33. Criminal offences in relation to false claims or evidence
34. Amount which may be claimed generally
35. Debts depending on contingency
36. Liabilities and rights of co-obligants
37. Claims in foreign currency

PART 6

Distribution to Creditors

38. Application of Part and general
39. Order of priority in distribution
40. Expenses of the energy administration
41. Assets to be distributed
42. Procedure after accounting period
43. Unclaimed Dividends

PART 7

Ending Energy Administration

44. Final progress reports
45. Application to court
46. Notification by energy administrator of court order
47. Moving from energy administration to creditors' voluntary liquidation
48. Moving from energy administration to dissolution
49. Provision of information to the Secretary of State

PART 8

Replacing energy administrator

50. Grounds for resignation
51. Notice of intention to resign
52. Notice of resignation
53. Application to court to remove energy administrator from office
54. Incapacity to act, through death or otherwise
55. Application to replace
56. Joint or concurrent appointments
57. Notification and advertisement of appointment of replacement energy administrator
58. Hand-over of assets to successor energy administrator

PART 9

Prescribed Part

59. Application under section 176A(5) of the 1986 Act to disapply section 176A of the 1986 Act
60. Notice of order under section 176A(5) of the 1986 Act

PART 10

Proxies and Company representation

61. Definition of “proxy”
62. Form of proxy
63. Use of proxy at meeting
64. Retention of proxies
65. Right of inspection
66. Proxy-holder with financial interest
67. Representation of corporations

PART 11

Miscellaneous and General

68. Giving of notices, etc.
 69. Sending by post
 70. Certificate of giving notice, etc.
 71. Validity of proceedings
 72. Evidence of proceedings at meetings
 73. Right to list of creditors and copy documents
 74. Confidentiality of documents
 75. Energy administrator’s caution
 76. Punishment of offences
 77. Forms for use in energy administration proceedings
 78. Fees, expenses, etc.
 79. Power of court to cure defects in procedure
 80. Sederunt book
 81. Disposal of protected energy company’s books, papers and other records
 82. Information about time spent on a case
- Signature

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

SCHEDULE —

Explanatory Note