
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 200

**Act of Sederunt (Sheriff Court Company
Insolvency Rules 1986) Amendment (UNCITRAL
Model Law on Cross-Border Insolvency) 2006**

Amendment of the Sheriff Court Company Insolvency Rules

2. –

(1) The Sheriff Court Company Insolvency Rules⁽¹⁾ shall be amended in accordance with the following sub-paragraphs.

(2) In rule 3 (interpretation) after the definition of “the Insolvency Rules” there shall be inserted the following:—

““the Model Law” means the Model Law on Cross-Border Insolvency as set out in Schedule 1 to the Cross-Border Insolvency Regulations 2006⁽²⁾.”

(3) In rule 12 (applications during an administration), for “or the Insolvency Rules” there shall be substituted “, the Insolvency Rules or an application to participate under article 12 of the Model Law in an administration”.

(4) In rule 30 (other applications) after “mentioned in this Part” there shall be inserted “or an application to participate under article 12 of the Model Law in a winding up by the court”.

(5) After rule 31A (applications under section 176A of the Act of 1986) there shall be inserted the following:—

“UNCITRAL Model Law on Cross-Border Insolvency

31B. On receipt of a certified copy interlocutor of a Lord Ordinary ordering proceedings under these rules to be transferred to the Court of Session under paragraph 11 of Schedule 3 to the Cross-Border Insolvency Regulations 2006, the sheriff clerk shall within four days transmit the process to the deputy principal clerk of session.”

(1) S.I.1986/2297, amended by S.S.I. 2003/388.

(2) S.I. 2006/1030.