
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 313

Act of Sederunt (Sheriff Court Bankruptcy Rules) 2016

CHAPTER 7

APPLICATIONS ETC. UNDER THE BANKRUPTCY (SCOTLAND) ACT 2016

Determination of applications and remits

- 7.4.**—(1) When an application or a remit is lodged, the sheriff is to make—
- (a) an order for intimation to any person who appears to the sheriff to have an interest in it;
 - (b) an order specifying how it is to be determined.
- (2) A certificate of intimation in Form 5.7 must be lodged within 14 days after the date of intimation by—
- (a) in the case of an application, the applicant;
 - (b) in the case of a remit, AiB.
- (3) Without prejudice to the generality of paragraph (1), where—
- (a) an application, or a remitted application, is unopposed, the sheriff is to dispose of it in chambers without the appearance of parties, unless the sheriff otherwise determines;
 - (b) the sheriff requires to hear parties on an application or remit, the sheriff clerk is to fix a hearing and intimate the date and time of the hearing to the parties.
- (4) Where an order is granted disposing of an application or a remit in accordance with paragraph (3)(a), the sheriff clerk is to intimate the order to the parties.