SCOTTISH STATUTORY INSTRUMENTS

2016 No. 397

The Bankruptcy (Scotland) Regulations 2016

PART 7

Limited partnerships

Application of Bankruptcy (Scotland) Act 2016 to limited partnerships

31.—(1) The application of the Act to the sequestration of the estate of a limited partnership is subject to the modifications specified in this regulation.

(2) Any reference in the Act or in legislation made under it (unless the context suggests otherwise) to a partnership (other than in section 6(1)) or to a firm shall be construed as including a reference to a limited partnership.

(3) In the application of section 15 of the Act (jurisdiction) to limited partnerships—

(a) AiB has jurisdiction if a limited partnership is registered in Scotland and has a place of business in Scotland; and

(b) the sheriff has jurisdiction if a limited partnership is registered in Scotland and has a place of business within the sheriff's sheriffdom.

(4) Without prejudice to the provisions of sections 26(1), 27(11) and 30(9) of the Act, the sheriff clerk must send a copy of every court order mentioned in those sections to the Registrar of Limited Partnerships in Scotland.

(5) In the case of a debtor application by a limited partnership, AiB must send a copy of the determination to the Registrar of Limited Partnerships in Scotland [M1].

Marginal Citations

M1 This regulation re-enacts regulation 8 of the 2014 Regulations.

Changes to legislation:
There are currently no known outstanding effects for the The Bankruptcy (Scotland) Regulations 2016, Section 31.