
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 209

The Public Services Reform (Corporate Insolvency and Bankruptcy) (Scotland) Order 2017

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Public Services Reform (Corporate Insolvency and Bankruptcy) (Scotland) Order 2017.

(2) Subject to paragraph (3), this Order comes into force on 1st August 2017.

(3) Articles 2 to 5 come into force—

(a) on 1st October 2017 insofar as they enable the making of—

(i) rules under section 411 of the 1986 Act; or

(ii) any other subordinate legislation under the 1986 Act; and

(b) insofar as not already in force, on the day appointed for the coming into force, for all remaining purposes, of section 122 of the Small Business, Enterprise and Employment Act 2015⁽¹⁾ in Scotland.

(4) In this Order—

(a) “the 1986 Act” means the Insolvency Act 1986⁽²⁾; and

(b) “the 2016 Act” means the Bankruptcy (Scotland) Act 2016⁽³⁾.

(1) 2015 c.26 (“the 2015 Act”). Sections 122 to 126 (position of creditors) and schedule 9 (abolition of requirements to hold meetings; opted-out creditors) came into force on 26th May 2015 for purposes in respect of enabling regulations, rules or orders or preparing and issuing guidance (see S.I. 2015/1329). Those provisions otherwise came into force in England and Wales (but not Scotland) on 6th April 2017 (S.I. 2016/1020, as amended by S.I. 2017/363).

(2) 1986 c.45.

(3) 2016 asp 21.