
SCOTTISH STATUTORY INSTRUMENTS

2018 No. 347

**The Insolvency (Scotland) (Receivership
and Winding up) Rules 2018**

PART 2

RECEIVERSHIP

CHAPTER 1

Appointment of receiver by the holder of the floating charge under section 51(1)

Notice under section 53(1)

2.3.—(1) The notice which is required to be delivered to the registrar of companies and AiB by or on behalf of the person making the appointment under section 53(1) must—

- (a) state the name and address of the holder of the floating charge;
 - (b) state that the receiver was appointed by the holder of the floating charge as receiver of that part of the property of the company which is subject to the floating charge;
 - (c) contain the information about the floating charge described in paragraph (2);
 - (d) contain the information about the circumstances justifying the appointment described in paragraph (3).
- (2) The information about the floating charge is—
- (a) the name of the person first named in the charge among the persons entitled to the benefit of it (or, in the case of a series of secured debentures, the name of the holder of the first such debenture to be issued);
 - (b) the amount secured by the charge;
 - (c) the date of registration of the charge.
- (3) The information about the circumstances justifying the appointment is—
- (a) where the circumstances justifying the appointment are provided for in the instrument creating the floating charge, the event which by the provisions of the instrument entitles the holder of the floating charge to make the appointment; or
 - (b) where the circumstances justifying the appointment are not provided for in the instrument creating the floating charge, which of the events in section 52(1) entitles the holder of the floating charge to make the appointment.