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SCOTTISH STATUTORY INSTRUMENTS

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**2018 No. 347**

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

**PART 3**

**MEMBERS' VOLUNTARY WINDING UP**

**CHAPTER 4**

**Conversion to creditors' voluntary winding up**

**Statement of affairs (section 95)**

**3.23.** The rules in Chapter 2 of Part 4 apply to the statement of affairs made out by the liquidator under section 95(1A)(1) where the liquidator is of the opinion that the company will be unable to pay its debts in full (together with interest at the official rate) within the period stated in the directors' declaration under section 89.

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(1) Section 95(1A) is prospectively inserted by paragraph 19(2) of schedule 9 of the Small Business, Enterprise and Employment Act 2015 (c.26) ("the 2015 Act") which also omitted subsections (2) to (3) and (5) to (7). Section 95(4A) inserted by S.I. 2010/18 is prospectively amended by S.S.I. 2016/141, article 8.