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STATUTORY INSTRUMENTS

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**2003 No. 2108**

The Enterprise Act 2002 (Consequential Amendments) (Prescribed Part) (Scotland) Order 2003

PART 1 –

AMENDMENTS TO THE INSOLVENCY (SCOTLAND) RULES 1986

**Amendments to Part 4 – Winding Up by the Court**

6.—(1) In Rule 4.10(1) (information to creditors and contributories), after paragraph (1) insert—

“(1A) The report under paragraph (1) shall include—

(a) to the best of the liquidator’s knowledge and belief—

(i) an estimate of the value of the prescribed part (whether or not he proposes to make an application to the court under section 176A(5) or section 176A(3) applies), and

(ii) an estimate of the value of the company’s net property,

provided that such estimates shall not be required to include any information the disclosure of which could seriously prejudice the commercial interests of the company, but if such information is excluded the estimates shall be accompanied by a statement to that effect, and

(b) whether, and, if so, why, the liquidator proposes to make an application to the court under section 176A(5).”.

(2) In Rule 4.28(2) (resignation of liquidator), after the word “payments” insert “and a statement as to the amount paid to unsecured creditors by virtue of the application of section 176A (prescribed part)”.

(3) In Rule 4.31(2) (final meeting), after the word “payments” insert “and a statement as to the amount paid to unsecured creditors by virtue of the application of section 176A (prescribed part)”.