

---

STATUTORY INSTRUMENTS

---

**2011 No. 2262**

The Investment Bank Special  
Administration (Scotland) Rules 2011

PART 2

Application for Order

CHAPTER 1

Application for special administration order

**Content of application**

6. An application for a special administration order in respect of an investment bank must specify—

- (a) the full name and registered number of the investment bank;
- (b) any other trading names;
- (c) the investment bank's nominated capital and the amount of capital paid up;
- (d) the address of the investment bank's registered office;
- (e) an email address for the investment bank;
- (f) the identity of the person (or persons) nominated for appointment as administrator; and
- (g) a statement setting out which of the grounds in regulation 6(1) the applicant is relying on in making the application.

**Statement of proposed administrator**

7. An application must be accompanied by a statement by the proposed administrator—

- (a) specifying the name and address of the person (or each person) proposed to be appointed;
- (b) giving that person's (or each person's) consent to act;
- (c) giving details of that person's (or each person's) qualification to act as an insolvency practitioner; and
- (d) giving details of any prior professional relationship that the person (or any of them) has had with the investment bank.

**Lodging of application**

8. The application, and its accompanying documents, must be lodged with the court.

**Service of application**

9.—(1) The application shall be served on—

- (a) the FSA (if not the applicant);
- (b) the investment bank (if neither the investment bank nor its directors are the applicant);
- (c) the person (or each of the persons) nominated for appointment as administrator;
- (d) any person who has given notice to the FSA in respect of the investment bank under regulation 8;
- (e) if there is in force for the investment bank a voluntary arrangement under Part 1 of the 1986 Act, the supervisor of that arrangement;
- (f) the registrar of companies; and
- (g) the Keeper of the Register of Inhibitions and Adjudications for recording in that register.

(2) Notice of the application shall also be given to the persons upon whom the court orders that the application be served.

### **Expenses**

**10.** If the court makes a special administration order, the expenses of the applicant, and of any other party whose expenses are allowed by the court, shall be regarded as expenses of the special administration.

### **Notice of special administration order**

**11.**—(1) If the court makes a special administration order, the applicant shall immediately after the order is made, send a certified copy of the order to—

- (a) the administrator; and
- (b) the FSA (if not the applicant).

(2) If the court makes an order under regulation 7(1)(d), or any other order under regulation 7(1)(f), it may direct (or give directions as) to whom, and how, notice of that order is to be given.