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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2017 No.**

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

**Amendment of savings in the Public Services Reform (Insolvency) (Scotland) Order 2016**

**8.—**(1) The Public Services Reform (Insolvency) (Scotland) Order 2016<sup>(1)</sup> is amended as follows.

(2) In article 15(1) for “4 to 6 and 7(2) to 13” substitute “4 and 8 to 10”.

(3) After article 15 insert—

“**16.—**(1) This article applies where, before the day mentioned in article 1(4)—

- (a) there is a members’ or creditors’ voluntary winding up continuing for more than one year;
- (b) the liquidator in that winding up has an obligation under—
  - (i) section 93 or 105 of the Act to summon a general meeting of the company, either at the end of the first year from the commencement of the winding up, or at the end of any succeeding year; or
  - (ii) section 105 of the Act to summon a meeting of the creditors, either at the end of the first year from the commencement of the winding up, or at the end of any succeeding year; and
- (c) that obligation has not been fulfilled or the meeting has not taken place.

(2) Where this article applies, subject to article 1(3), the Act continues to have effect on and after the day mentioned in article 1(4) as if the amendments made by articles 5, 6 and 7(2) and (3) had not been made in relation to the liquidator’s obligations to—

- (a) summon the particular meeting;
- (b) lay before that meeting an account of the liquidator’s acts and dealings, and of the conduct of the winding up, in the preceding year.”.