
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 534

**Act of Sederunt (Sheriff Court Bankruptcy
Rules) 1996 Amendment 2004**

Amendment of Form 2

5.—(1) Form 2 contained in Appendix 1 of the Schedule to the Principal Rules shall be amended by insertion at the end of paragraph 1 of the form:

“**1A.** I certify that:

- (a) I have my centre of main interests or an establishment in the United Kingdom as defined in the EC Regulation on insolvency proceedings;
- (b) I have my centre of main interests or an establishment as defined above in a Member state other than the United Kingdom;
- (c) I have neither my centre of main interests nor an establishment in the United Kingdom nor in a Member state other than the United Kingdom.”

(2) Form 2 contained in Appendix 1 of the Schedule to the Principal Rules shall be amended by insertion after paragraph 6 of that form:—

- (a) I am subject to an approved debt payment programme; or
- (b) I am not subject to an approved debt payment programme.
- (c) I have made application for approval of a debt payment programme; or
- (d) I have not made application for approval of a debt payment programme.”

(3) Form 2 contained in Appendix 1 of the Schedule to the Principal Rules shall be amended by substituting in paragraph 2 of the Note to the form “attachment (or an attempt to attach)” for “pounding”.

(4) Form 2 contained in Appendix 1 of the Schedule to the Principal Rules shall be amended by insertion after paragraph 7 on page 2 of that form:

“**8.** You are apparently insolvent in terms of section 7(1) (c)(vii) of the Bankruptcy (Scotland) Act 1985(1) because a) you were party to an approved debt payment programme under the Debt Arrangement and Attachment (Scotland) Act 2002 which has been revoked; and b) a debt being paid under the programme is constituted by decree or document of debt as defined in section 10 (attachment) of that Act.”

(1) 1985 c. 66. Section 7(1) of that Act was amended by section 46 of the Debt Arrangement and Attachment (Scotland) Act 2002.