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SCOTTISH STATUTORY INSTRUMENTS

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**2020 No. 440**

**Act of Sederunt (Rules of the Court of Session 1994 and Sheriff Court Rules Amendment) (Miscellaneous) (No. 2) 2020**

**Amendment of Act of Sederunt (Sheriff Court Company Insolvency Rules) 1986**

**3.—**(1) The Act of Sederunt (Sheriff Court Company Insolvency Rules) 1986<sup>(1)</sup> is amended in accordance with this paragraph.

(2) For rule 10(1)(h) (petitions for administration orders)<sup>(2)</sup> substitute—

“(h) in the case of a petition under the Act of 1986, averments stating, in so far as it is within the petitioner’s knowledge—

(i) whether or not the centre of main interests of the company is situated within the United Kingdom or in a member State (other than Denmark);

(ii) where the centre of main interests of the company is situated in a member State (other than Denmark), whether or not the company possesses an establishment in the United Kingdom;

(iii) whether there are insolvency proceedings elsewhere in respect of the company;”.

(3) For rule 18(1)(aa) (petitions to wind up a company)<sup>(3)</sup> substitute—

“(aa) averments stating, in so far as it is within the petitioner’s knowledge—

(i) whether or not the centre of main interests of the company is situated within the United Kingdom or in a member State (other than Denmark);

(ii) where the centre of main interests of the company is situated in a member State (other than Denmark), whether or not the company possesses an establishment in the United Kingdom;

(iii) whether there are insolvency proceedings elsewhere in respect of the company;”.

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<sup>(1)</sup> [S.I. 1986/2297](#), last amended by [S.S.I. 2020/198](#).

<sup>(2)</sup> Rule 10(1)(h) was substituted by [S.S.I. 2008/223](#) and amended by [S.S.I. 2013/171](#).

<sup>(3)</sup> Rule 18(1)(aa) was inserted by [S.S.I. 2008/223](#).