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STATUTORY INSTRUMENTS

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**1990 No. 2116 (S.185)**

**SHERIFF COURT, SCOTLAND**

**Act of Sederunt (Applications under section 57C  
of the Social Security Pensions Act 1975) 1990**

*Made - - - - 23rd October 1990*

*Coming into force - - 12th November 1990*

The Lords of Council and Session, under and by virtue of the powers conferred on them by section 32 of the Sheriff Courts (Scotland) Act 1971<sup>(1)</sup> and of all other powers enabling them in that behalf, having approved, with modifications, draft rules submitted to them by the Sheriff Court Rules Council in accordance with section 34 of that Act, do hereby enact and declare:

**Citation, commencement and interpretation**

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Applications under section 57C of the Social Security Pensions Act 1975) and shall come into force on 12th November 1990.

(2) This Act of Sederunt shall be inserted in the Books of Sederunt.

(3) In this Act of Sederunt, the expression “acting as an insolvency practitioner” has the meaning assigned to it by section 57C(8) of the Social Security Pensions Act 1975<sup>(2)</sup>.

**Application**

2. This Act of Sederunt applies to applications under section 57C(6) of the Social Security Pensions Act 1975 for an order requiring a person acting as an insolvency practitioner to discharge his duties under section 57C(2) of that Act.

**Procedure**

3. An application to which this Act of Sederunt applies shall be made—

- (a) by note in the process of the proceedings by virtue of which or in relation to which the person acting as insolvency practitioner was appointed; or
- (b) where there have been no such proceedings, by summary application.

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<sup>(1)</sup> 1971 c. 58.

<sup>(2)</sup> 1975 c. 60; section 57C of the Social Security Pensions Act 1975 was inserted by paragraph 1 of Schedule 4 to the Social Security Act 1990 (c. 27).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Edinburgh  
23rd October 1990

*J.A.D. Hope*  
Lord President, IPD

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## EXPLANATORY NOTE

*(This note is not part of the Act of Sederunt)*

This Act of Sederunt makes provision for the manner of application for an order requiring an insolvency practitioner to discharge his duties under section 57C of the Social Security Pensions Act 1975 (which require him to satisfy himself that one of the trustees of an occupational pension scheme to which the section applies is an independent person or to appoint such a person to that scheme).