
STATUTORY INSTRUMENTS

2003 No. 2109

The Insolvency (Scotland) Regulations 2003

PART I

SEQUESTRATION

Insertion into the Act of new sections 60A and 60B

17. After section 60 of the Act insert—

“60A Member State liquidator deemed creditor

60A. For the purposes of this Act, and without prejudice to the generality of the right to participate referred to in paragraph 3 of Article 32 of the EC Regulation (exercise of creditors' rights) a member State liquidator appointed in relation to the debtor is deemed to be a creditor in the sum due to creditors in proceedings in relation to which he holds office.

60B Trustee's duties concerning notices and copies of documents

(1) This section applies where a member State liquidator has been appointed in relation to the debtor.

(2) Where an interim or a permanent trustee is obliged to give notice to, or provide a copy of a document (including an order of court) to, the court or the Accountant in Bankruptcy, the trustee shall give notice or provide copies, as appropriate, to the member State liquidator.

(3) Subsection (2) above is without prejudice to the generality of the obligations imposed by Article 31 of the EC Regulation (duty to co-operate and communicate information).”

Changes to legislation:

There are currently no known outstanding effects for the The Insolvency (Scotland) Regulations 2003, Section 17.