

SCHEDULE

Rule 4

PART 1

Rule 2.9

The Insolvency Act 1986

Form 2.4B(Scot)

**Notice of intention to appoint an administrator by holder of qualifying floating charge**

Pursuant to paragraph 44(2) of Schedule B1 to the Insolvency Act 1986 and Rule 2.9 of the Insolvency (Scotland) Rules 1986

Name of Company	Company number
-----------------	----------------

(a) Name and address of holder of qualifying floating charge

1. (a) \_\_\_\_\_  
\_\_\_\_\_

(“the appointor”)

(b) Give name(s) and address(es) of proposed administrator(s)

gives notice that it is the appointor’s intention to appoint

(b) \_\_\_\_\_  
\_\_\_\_\_ as administrator(s) of

(c) Insert name and address of registered office of company

(c) \_\_\_\_\_  
\_\_\_\_\_ (“the company”)

in accordance with paragraph 14 of Schedule B1 to the Insolvency Act 1986.

2. The amount of the company’s share capital paid up or credited as paid up is £ \_\_\_\_\_

3. The appointor is the holder of the following qualifying floating charge which is now enforceable:

(d) Give details of charge relied on, date registered and financial limit (if any)

(d) \_\_\_\_\_  
\_\_\_\_\_

4. This notice has been given to the following person(s), who is/are each understood to be holder(s) of a qualifying floating charge(s) in respect of the company’s property, the said charges being prior floating charges in accordance with paragraph 15(2) of Schedule B1 to the Insolvency Act 1986:

(e) Insert name(s) and address(es) of holder(s) of qualifying floating charge(s) and details of charge held

(e) \_\_\_\_\_  
\_\_\_\_\_

**Status:** This is the original version (as it was originally made).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

\*Delete as applicable  
**5.** The company *\*is/is not* on the date of this notice subject to insolvency proceedings.  
(f) Give details of any current or outstanding insolvency proceedings  
(f) \_\_\_\_\_  
\_\_\_\_\_

Form 2.4B(Scot) continued

\*Delete as applicable  
**6.** The company *\*is/is not* *\*an insurance undertaking/a credit institution/an investment undertaking providing services involving the holding of funds or securities for third parties/or a collective investment undertaking under Article 1.2 of the EC Regulation.*

(g) State whether main, secondary or territorial proceedings  
**7.** For the following reasons it is considered that the EC Regulation *\*will/will not* apply. If it does, these proceedings will be (g) \_\_\_\_\_ proceedings as defined in Article 3 of the Regulation:  
\_\_\_\_\_  
\_\_\_\_\_

(h) Insert full name of court  
**8.** This notice is to be lodged in (h) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Any enquiries should be addressed not to the court but to the appointor at the address stated in this form.

Signed \_\_\_\_\_  
(If signing on behalf of appointor indicate capacity (e.g. director/solicitor))

Dated \_\_\_\_\_

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**Consent of Floating Charge Holder to Appointment of Administrator**  
(Do not detach this part of the form)

If, having read this notice, you have no objection to the making of this appointment you can indicate your consent either by completing the details in the box below and returning a copy of this notice as soon as possible, and within two business days from receipt of this notice, or by sending details of your consent in writing, in accordance with Rule 2.10(5), to the appointor at the following address:

(i) Appointor to insert address  
(i) \_\_\_\_\_  
\_\_\_\_\_

If your consent has not been given within two business days the appointor may make the appointment notwithstanding that you have not notified your consent to the appointment.

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

Form 2.4B(Scot) continued

(j) Insert name and address

(j) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(k) Give details of charge, date registered and financial limit (if any)

being the holder of the following floating charge over the company's property:  
(k) \_\_\_\_\_  
\_\_\_\_\_  
consents to the appointment of the administrator(s) in accordance with the details of this notice.

Signed \_\_\_\_\_  
(If signing on behalf of a firm or company state position or office held)  
Dated \_\_\_\_\_

(l) Insert date and time

**Endorsement to be completed by the court**

This notice was lodged on (l) \_\_\_\_\_

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

Rule 2.10

The Insolvency Act 1986

Form 2.5B(Scot)

## Notice of appointment of an administrator by holder of qualifying floating charge

Pursuant to paragraphs 14 and 18 of Schedule B1 to the Insolvency Act 1986 and Rule 2.10 of the Insolvency (Scotland) Rules 1986

Name of Company	Company number
-----------------	----------------

(a) Name and address of holder of qualifying floating charge

1. (a) \_\_\_\_\_  
\_\_\_\_\_

(b) Give name(s) and address(es) of administrator(s)

\_\_\_\_\_ (“the appointor”) gives notice that (b) \_\_\_\_\_

(c) Insert name and address of registered office of company

is/are hereby appointed as administrator(s) of (c) \_\_\_\_\_ (“the company”)

(d) Give details of charge relied on, date registered and financial limit (if any)

2. The amount of the company’s share capital paid up or credited as paid up is £ \_\_\_\_\_  
3. The statement(s) of the proposed administrator(s) is/are attached.  
4. The appointor is the holder of the following qualifying floating charge:

(d) \_\_\_\_\_  
\_\_\_\_\_

†Delete if not applicable

5. The above charge is enforceable at the date of this appointment.  
6. † [The appointor has given at least two business days’ written notice to the holder of any prior qualifying floating charge(s), and a copy of that notice, \*(which was lodged in \_\_\_\_\_ (court) on \_\_\_\_\_ (date)) is attached.]

†Delete if not applicable

**OR**  
‡ [all the holders of any prior qualifying floating charges have consented in writing to the making of this appointment and copies of the written consents are attached.]

†Delete if not applicable

**OR**  
‡ [there are no prior qualifying floating charges.]

\*Delete as applicable

7. The company \*is/is not, at the date of this notice, the subject of insolvency proceedings:

(e) Give details of any current or outstanding insolvency proceedings

e) \_\_\_\_\_  
\_\_\_\_\_

\*Delete as applicable

8. The company \*is/is not \*an insurance undertaking/a credit institution/an investment undertaking providing services involving the holding of funds or securities for third parties/a collective investment undertaking under Article 1.2 of the EC Regulation.

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

Form 2.5B(Scot) continued

\*Delete as applicable

(f) State whether main, secondary or territorial proceedings

9. For the following reasons it is considered that the EC Regulation\*will/will not apply. If it does, these proceedings will be (f) \_\_\_\_\_ proceedings as defined in

Article 3 of the Regulation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

10. The appointment is in accordance with Schedule B1 to the Insolvency Act 1986

11. Where there are joint administrators, a statement for the purposes of paragraph 100(2) of Schedule B1 to the Insolvency Act 1986 is attached.

(g) Insert name and address of court in which notice to be lodged

12. This notice and accompanying documents are to be lodged in (g) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

to which any application for orders in relation to the administration should be made. Any enquiries in connection with this notice should be addressed not to the court but to the administrator at the address stated in this form.

(h) Insert name and address

13. I(h) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(If making the declaration on behalf of appointor indicate capacity e.g. director/solicitor)

do solemnly and sincerely declare that the information provided in this notice is, to the best of my knowledge and belief, true'

**AND I making this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.**

Declared at \_\_\_\_\_

Signed \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 20

before me \_\_\_\_\_

A Notary Public or Justice of the Peace or Solicitor

**Endorsement to be completed by the court**

(i) Insert date and time

This notice and the attached documents were lodged on

(i) \_\_\_\_\_

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

Rule 2.12

The Insolvency Act 1986

Form 2.6B(Scot)

## Notice of appointment of an administrator by holder of qualifying floating charge

Pursuant to paragraphs 14 and 18 of Schedule B1 to the Insolvency Act 1986 and Rule 2.12 of the Insolvency (Scotland) Rules 1986

Name of Company	Company number
-----------------	----------------

(a) Name and address of holder of qualifying floating charge

1. (a) \_\_\_\_\_ (“the appointor”)

(b) Give name(s) and address(es) of administrator(s)

gives notice that (b) \_\_\_\_\_

(c) Insert name and address of registered office of company

is/are hereby appointments as administrator(s) of (c) \_\_\_\_\_ (“the company”)

\*Delete as applicable

(i) \*I/we consent to act as administrator; (ii) \*I/we am/are of the opinion that the purpose of administration is reasonably likely to be achieved; (iii) \*I/we have/have not had any prior professional relationship with the company \*and I/we have provided a summary of any prior professional relationship(s) with the company to the appointor; and (iv) \*I/we certify that “I/we am/are authorised under the provisions of Part XIII of the Insolvency Act 1986 to act as \*an insolvency practitioner/insolvency practitioners.

(I.P. No(s): \_\_\_\_\_  
 \_\_\_\_\_ Signed by administrator(s)

2. The amount of the company’s share capital paid up or credited as paid up is £ \_\_\_\_\_

3. The appointor is the holder of the following qualifying floating charge :

(d) Give details of charge relied on, date registered and financial limit (if any)

(d) \_\_\_\_\_

4. The above charge is enforceable at the date of this appointment.

†Delete if not applicable

5. †[The appointor has given at least two business days’ written notice to the holder of any prior qualifying floating charge(s), and a copy of that notice, \*(which was lodged in \_\_\_\_\_ (court) on \_\_\_\_\_ (date)) is in the appointor’s possession.]

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

Form 2.6B(Scot) continued

**OR**

†Delete if not applicable

†[all the holders of any prior qualifying floating charges have consented in writing to the making of this appointment, copies of which are in the appointor's possession.]

**OR**

†Delete if not applicable

†[there are no prior qualifying floating charges].

\*Delete as applicable

**6.** The company \*is/is not, at the date of this notice, the subject of insolvency proceedings:

(e) Give details of any current or outstanding insolvency proceedings

(e) \_\_\_\_\_  
\_\_\_\_\_

\*Delete as applicable

**7.** The company \*is/is not \*an insurance undertaking/a credit institution/an investment undertaking providing services involving the holding of funds or securities for third parties/a collective investment undertaking under Article 1.2 of the EC Regulation.

(f) Insert whether main, secondary or territorial proceedings

**8.** For the following reasons it is considered that the EC Regulation\*will/will not apply. If it does, these proceedings will be (f) \_\_\_\_\_ proceedings as defined in Article 3 of the Regulation: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**9.** The appointment is in accordance with Schedule B1 to the Insolvency Act 1986

**10.** Where there are joint administrators, a statement for the purposes of paragraph 100(2) of Schedule B1 to the Insolvency Act 1986 is in the possession of the appointor.

(g) Insert name and address of court in which notice to be lodged

**11.** This notice and accompanying documents are to be lodged in (g) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

to which any application for orders in relation to the administration should be made. Any enquiries in connection with this notice should be addressed not to the court but to the administrator at the address stated in this form.

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

Form 2.6B(Scot) continued

(h) Insert full name and address of person making declaration **12. I(h)** \_\_\_\_\_  
\_\_\_\_\_

(If making the declaration on behalf of appointor indicate capacity e.g. director/solicitor)

do solemnly and sincerely declare that the information provided in this notice is, to the best of my knowledge and belief, true, and that the appointor has in his possession all documents and information needed to support his appointment,

**AND I making this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.**

Declared at \_\_\_\_\_

Signed \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 20

before me \_\_\_\_\_

A Notary Public or Justice of the Peace or Solicitor

**Endorsement to be completed by the court**

(i) Insert date and time shown on fax transmission report

The fax transmission report indicates that this notice was lodged in court at

(i) \_\_\_\_\_

(j) Insert date form delivered to court

This notice with supporting documents was delivered to the court on

(j) \_\_\_\_\_

Rule 2.13

The Insolvency Act 1986

Form 2.7B(Scot)

## Notice of appointment of an administrator by holder of qualifying floating charge

Pursuant to paragraph 26 of Schedule B1 to the Insolvency Act 1986 and Rule 2.13 of the Insolvency (Scotland) Rules 1986

Name of Company	Company number
-----------------	----------------

(a) Insert name and address of registered office of company

1. Notice is given that, in respect of (a) \_\_\_\_\_  
\_\_\_\_\_ (“the company”)

\*Delete as applicable

\*the company/the directors of the company (“the appointor”) intend to appoint

(b) Give name(s) and address(es) of proposed administrator(s)

(b) \_\_\_\_\_  
\_\_\_\_\_  
as administrator(s) of the company.

2. The amount of the company’s share capital paid up or credited as paid up is £ \_\_\_\_\_

3. This notice is being given to the following person(s), being person(s) who is/are or may be entitled to appoint an administrative receiver of the company or an administrator of the company under paragraph 14 of Schedule B1 to the Insolvency Act 1986:

(c) Insert name and address of each person to whom notice is given

(c) \_\_\_\_\_  
\_\_\_\_\_

4. The company has not, within the last twelve months—

- (i) been in administration;
- (ii) been the subject of a moratorium under Schedule A1 to the Insolvency Act 1986 which has ended on a date when no voluntary arrangement was in force; or
- (iii) been the subject of a voluntary arrangement which was made during a moratorium for the company under Schedule A1 to the Insolvency Act 1986 and which ended prematurely within the meaning of section 7B of the Insolvency Act 1986.

5. In relation to the company there is no—

- (i) petition for winding up which has been presented but not yet disposed of;
- (ii) administration application which has not yet been disposed of; or
- (iii) administrative receiver in office,

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

Form 2.7B(Scot) continued

\*Delete as applicable

6. The company \*is/is not \*an insurance undertaking/a credit institution/an investment undertaking providing services involving the holding of funds or securities for third parties/a collective investment undertaking under Article 1.2 of the EC Regulation.

(d) Insert whether main, secondary or territorial proceedings

7. For the following reasons it is considered that the EC Regulation\*will/will not apply. If it does, these proceedings will be (d) \_\_\_\_\_ proceedings as defined in Article 3 of the Regulation: \_\_\_\_\_

8. Attached to this notice is \*a copy of the resolution of the company to appoint an administrator/a record of the decision of the directors to appoint an administrator.

(e) Insert full name of court

9. This notice is to be lodged in (e) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Any enquiries should be addressed not to the court but to the appointor at the address stated in this form.

(f) Insert name and address of person making declaration

10. I(f) \_\_\_\_\_  
\_\_\_\_\_

(If making the declaration on behalf of appointor indicate capacity e.g. director/solicitor)

hereby do solemnly and sincerely declare that:

- (i) the company is or is likely to become unable to pay its debts;
- (ii) the company is not in liquidation; and
- (iii) the statements in paragraphs 4 and 5 are, so far as I am able to ascertain, true,

and that the information provided in this notice is to the best of my knowledge and belief true,

**AND I making this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.**

Declared at \_\_\_\_\_

Signed \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 20

before me \_\_\_\_\_

Note: this form now to be sent to all those required to be sent the forms by Rule 2.13(2)

A Notary Public or Justice of the Peace or Solicitor

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

Form 2.7B(Scot) continued

**Consent of Floating Charge Holder to Appointment of Administrator**

(Do not detach this part of the form)

If, having read this notice, you have no objection to the making of this appointment you should complete the details in the box below and return a copy of this notice as soon as possible, and within five business days from receipt of this notice, to the appointor at the following address:

(g) Appointor to insert address

(g) \_\_\_\_\_

If your consent has not been given within five business days the appointor may make the appointment notwithstanding that you have not notified your consent to the appointment.

(h) Insert name and address

(h) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

being the holder of the following floating charge over the company's property:

(i) Give details of charge, date registered and financial limit (if any)

(i) \_\_\_\_\_  
\_\_\_\_\_

consents to the appointment of the administrator(s) in accordance with the details of this notice.

Signed \_\_\_\_\_  
(If signing on behalf of a firm or company state position or office held)

Dated \_\_\_\_\_

**Endorsement to be completed by the court**

(j) Insert date and time

This notice was lodged on (j) \_\_\_\_\_

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

Rule 2.16

The Insolvency Act 1986

Form 2.8B(Scot)

## Notice of appointment of an administrator by company or director(s)

(Where a notice of intention to appoint has been issued)

Pursuant to paragraphs 22 and 29 of Schedule B1 to the Insolvency Act 1986 and Rule 2.16 of the Insolvency (Scotland) Rules 1986

Name of Company	Company number
-----------------	----------------

(a) Name and address of holder of registered office of the company

1. Notice is given that, in respect of (a) \_\_\_\_\_  
\_\_\_\_\_ (“the company”)

\*Delete as applicable

\*the company/directors of the company (“the appointor”) hereby appoints

(b) Give name(s) and address(es) of administrator(s)

(b) \_\_\_\_\_  
\_\_\_\_\_

as administrator(s) of the company.

\*Delete as applicable

2. The amount of the company’s share capital paid up or credited as paid up is £ \_\_\_\_\_

3. The statement(s) of the proposed administrator(s) \*is/are attached.

4. The appointor is entitled to make an appointment under paragraph 22 of Schedule B1 to the Insolvency Act 1986.

5. The appointment is in accordance with Schedule B1 to the Insolvency Act 1986.

\*Delete as applicable

6. The company \*is/is not \*an insurance undertaking/a credit institution/an investment undertaking providing services involving the holding of funds or securities for third parties/a collective investment undertaking under Article 1.2 of the EC Regulation.

(c) State whether main, secondary or territorial proceedings

7. For the following reasons it is considered that the EC Regulation\*will/will not apply. If it does, these proceedings will be (c) \_\_\_\_\_ proceedings as defined in Article 3 of the Regulation: \_\_\_\_\_

8. Where there are joint administrators, a statement for the purposes of paragraph 100(2) of Schedule B1 to the Insolvency Act 1986 is attached.

9. The appointor has given at least five business days’ written notice of the intention to appoint in accordance with paragraph 26(1) of Schedule B1 to the Insolvency Act 1986 and a copy of that notice was lodged in \_\_\_\_\_ (court) on

(d) Insert date

(d) \_\_\_\_\_

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

Form 2.8B(Scot) continued

(e) Insert name and address of person making declaration

**10. I(e)** \_\_\_\_\_  
\_\_\_\_\_

(If making the declaration on behalf of appointor indicate capacity e.g. director/solicitor)

do solemnly and sincerely declare that—

- (i) the information provided in this notice; and
- (ii) the statement made and information given in the notice of intention to appoint,

are, and remain, to the best of my knowledge and belief, true,

**AND I making this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.**

Declared at \_\_\_\_\_

Signed \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 20

before me \_\_\_\_\_

A Notary Public or Justice of the Peace or Solicitor

(f) Insert date and time

**Endorsement to be completed by the court**

This notice was lodged on (f) \_\_\_\_\_

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

Rule 2.16

The Insolvency Act 1986

Form 2.9B(Scot)

## Notice of appointment of an administrator by company or director(s)

(Where a notice of intention to appoint has not been issued)

Pursuant to paragraphs 22 and 29 of Schedule B1 to the Insolvency Act 1986 and Rule 2.16 of the Insolvency (Scotland) Rules 1986

Name of Company	Company number
-----------------	----------------

(a) Insert name and address of registered office of company

1. Notice is given that, in respect of (a) \_\_\_\_\_ ("the company")

\*Delete as applicable

\*the company/the directors of the company ("the appointor") hereby appoints

(b) Give name(s) and address(es) of administrator(s)

(b) \_\_\_\_\_

as administrator(s) of the company.

2. The amount of the company's share capital paid up or credited as paid up is £ \_\_\_\_\_

3. The statement(s) of the proposed administrator(s) \*is/are attached.

4. The appointor is entitled to make an appointment under paragraph 22 of Schedule B1 to the Insolvency Act 1986.

5. This appointment is in accordance with Schedule B1 to the Insolvency Act 1986.

6. The company has not, within the last twelve months—

- (i) been in administration;
- (ii) been the subject of a moratorium under Schedule A1 to the Insolvency Act 1986 which has ended on a date when no voluntary arrangement was in force; or
- (iii) been the subject of a voluntary arrangement which was made during a moratorium for the company under Schedule A1 to the Insolvency Act 1986 and which ended prematurely within the meaning of section 7B of the Insolvency Act 1986.

7. In relation to the company there is no—

- (i) petition for winding up which has been presented but not yet disposed of;
- (ii) administration application which has not yet been disposed of; or
- (iii) administrative receiver in office.

\*Delete as applicable

8. The company \*is/is not \*an insurance undertaking/a credit institution/an investment undertaking providing services involving the holding of funds or securities for third parties/or a collective investment undertaking under Article 1.2 of the EC Regulation.

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

Form 2.9B(Scot) continued

\*Delete as applicable  
(c) State whether main, secondary or territorial proceedings  
**9.** For the following reasons it is considered that the EC Regulation\*will/will not apply. If it does, these proceedings will be (c) \_\_\_\_\_ proceedings as defined in Article 3 of the Regulation: \_\_\_\_\_  
\_\_\_\_\_

\*Delete as applicable  
**10.** Attached to this notice is \*a copy of the resolution of the company to appoint an administrator/a record of the decision of the directors to appoint an administrator.

**11.** Where there are joint administrators, a statement for the purposes of paragraph 100(2) of Schedule B1 to the Insolvency Act 1986 is attached.

(d) Insert name and address of court in which notice is to be lodged  
**12.** This notice and accompanying documents are to be lodged in (d) \_\_\_\_\_  
\_\_\_\_\_

to which any application for orders in relation to the administration should be made. Any enquiries in connection with this notice should be addressed not to the court but to the administrator at the address stated in this form.

(e) Insert name and address of person making declaration  
**13.** I(e) \_\_\_\_\_  
(If making the declaration on behalf of appointor indicate capacity e.g. director/solicitor)

hereby do solemnly and sincerely declare that:

- (i) the company is or is likely to become unable to pay its debts;
- (ii) the company is not in liquidation; and
- (iii) the statements in paragraphs 6 and 7 are, so far as I am able to ascertain, true,

and do solemnly and sincerely declare that the information provided in this notice is, to the best of my knowledge and belief, true,

**AND I making this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.**

Declared at \_\_\_\_\_

Signed \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 20

before me \_\_\_\_\_

A Notary Public or Justice of the Peace or Solicitor

**Endorsement to be completed by the court**

(f) Insert date and time

This notice was lodged on (f) \_\_\_\_\_

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

Rule 2.19

The Insolvency Act 1986

Form 2.10B(Scot)

### Notification of appointment of administrator (for newspaper or Edinburgh Gazette)

Pursuant to paragraph 46(2)(b) of Schedule B1 to the Insolvency Act 1986 and Rule 2.19 of the Insolvency (Scotland) Rules 1986

Name of Company	Company number
-----------------	----------------

Nature of business \_\_\_\_\_

Registered office of company \_\_\_\_\_

(a) Insert date  
\*Delete as applicable

Appointment of administrator made on (a) \_\_\_\_\_ 20

by \*order of/\*notice of appointment lodged in (b) \_\_\_\_\_

(b) Insert full name of court

\_\_\_\_\_

\_\_\_\_\_

Name(s) and address(es) of administrator(s) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Administrator/Joint administrator (IP No(s) \_\_\_\_\_ )

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

Rule 2.20

The Insolvency Act 1986

Form 2.12B(Scot)

## Notice requiring submission of a statement of affairs

Pursuant to paragraph 47(1) of Schedule B1 to the Insolvency Act 1986 and Rule 2.20 of the Insolvency (Scotland) Rules 1986

Name of Company	Company number
-----------------	----------------

(a) Insert full name of each person required to submit statement

The Administrator requires a statement of affairs to be prepared and submitted by (a) \_\_\_\_\_

(b) Insert full name of company

as to the affairs of (b) \_\_\_\_\_ (“the company”)

(c) Insert full name and address of each person sent this notice

A notice requiring submission of a statement of affairs has been sent to each of the following persons (c) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(d) Insert name of administrator

The statement of affairs must be submitted within 11 days of receipt of this notice to (d) \_\_\_\_\_ (“the administrator”)

(e) Insert full address

at (e) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signed \_\_\_\_\_  
Joint/Administrator(s)

Dated \_\_\_\_\_

### WARNING

It is an offence under paragraph 48(4) of Schedule B1 to the Insolvency Act 1986 if you fail without reasonable excuse to comply with this requirement.

(f) Delete words in brackets if not applicable

Section 235 of the Insolvency Act 1986 places a duty on you (f) (as an officer of the company) to provide the administrator with information and attend upon him if required. I have to warn you that failure to submit the statement of affairs as required by this notice, or to co-operate with the administrator under section 235 of the Insolvency Act 1986, may make you liable to a fine and, for continued contravention, to a daily default fine.

Under paragraph 10 of Schedule 1 to the Company Directors Disqualification Act 1986 failure to submit a statement of affairs or to co-operate with the administrator under section 235 of the Insolvency Act 1986 are matters which may be taken into account by the court in determining whether a person is unfit to be an officer of or to be involved in the management of a company. Unfit conduct may result in a disqualification under the Company Directors Disqualification Act 1986.

**Note:** Forms for the preparation of the statement of affairs are enclosed. Under Rule 2.24 expenses incurred in making the statement of affairs which the administrator considers to be reasonable can be claimed out of the company's assets

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**PART 2**

STATEMENT as to the affairs of the Company on the \_\_\_\_\_

Please do not write in this margin

Please complete legibly, preferably in black type, or bold block lettering

		Estimated Realisable Values £
<b>ASSETS</b>		
Assets not specifically secured (as per List "A") _____		
Assets specifically secured (as per List "B")	£	
Estimated realisable value		
<b>Less:</b> Amount due to secured creditors		
Estimated Surplus _____		
Estimated Total Assets available for preferential creditors, holders of floating charges and unsecured creditors _____		
<b>LIABILITIES</b>		
Preferential creditors (as per List "C") _____		
Estimated balance of assets available for holders of floating charges and unsecured creditors _____		
Estimated prescribed part of net property where applicable (to carry forward) _____		
Holders of floating charges (as per List "D") _____		
Estimated surplus/deficiency as regards holders of floating charges _____		
Estimated prescribed part of net property where applicable (brought down) _____		
Unsecured Creditors		£
Trade accounts (as per List "E") _____		
Bills payable (as per List "F") _____		
Contingent or other liabilities (as per List "G") _____		
Total unsecured creditors (excluding any shortfall to floating charge holders) _____		
Estimated Surplus/Deficiency as regards creditors unsecured creditors (excluding any shortfall to floating charge holders)		
Estimated deficiency after floating charge where applicable (brought down)		
Estimated Surplus/Deficiency as regards creditors		
Issued and Called-up Capital _____		
Estimated Surplus/Deficiency as regards members		

These figures must be read subject to the following:-

\*delete as appropriate

\*[(a) There is no unpaid capital liable to be called up]

\*[(b) The nominal amount of unpaid capital liable to be called up is £ \_\_\_\_\_ estimated to produce £ \_\_\_\_\_ which is/is not charged in favour of the holder of the floating charges(s)]

The estimates are subject to the expenses of the liquidation and to any surplus or deficiency on trading pending realisation of the Assets.

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Please do not write in this margin

Please complete legibly, preferable in black type, or bold block lettering

**LIST 'E' (consisting of \_\_\_\_\_ pages)**

**Statement of affairs**

**Unsecured creditors – trade accounts.**

**Identify separately on this list customers claiming amounts paid in advance of the supply of goods and services**

**Names to be arranged in alphabetical order and numbered consecutively**

No	Name of and address of creditor	Amount of the debt £

Signed

Date