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STATUTORY INSTRUMENTS

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**2016 No. 185**

**The Insolvent Companies (Reports on  
Conduct of Directors) (Scotland) Rules 2016**

**Unavailability of the portal**

7.—(1) The Secretary of State—

- (a) may at any time when the portal is unable to carry out one or more of its functions, and
- (b) must, where the portal has been unable to carry out one or more of its functions for a period of 7 business days,

provide alternative means for complying with a requirement under rules 4, 5 or 6.

(2) The Secretary of State must give notice to office-holders specifying the means provided for the purposes of paragraph (1) and the period of time for which those means are made available.

(3) The Secretary of State may by notice vary the means provided under paragraph (1) or the period of time for which those means are made available.

(4) A notice under paragraph (3) must give office-holders at least 1 business day's notice before any variation takes effect.

(5) The time within which an office-holder must comply with rules 4, 5 or 6 does not include any day the whole or part of which forms part of a suspension period.

(6) For the purpose of paragraph (5) a suspension period is a period of time during which —

- (a) the portal is unable to receive reports, applications or information;
- (b) no notice under paragraph (2) or (3) is in force; and
- (c) the office-holder has attempted to and been prevented from sending a report, application or information at least once during that period on the basis of sub-paragraph (a).

(7) In this rule “business day” means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday in any part of Great Britain.