

---

STATUTORY INSTRUMENTS

---

**2018 No. 1082**

The Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018

PART 2

COMPANY VOLUNTARY ARRANGEMENTS

CHAPTER 2

The proposal for a CVA (section 1)

**Proposal for a CVA: general principles and amendment**

**2.2.**—(1) A proposal must—

- (a) contain identification details for the company;
- (b) explain why the proposer thinks a CVA is desirable;
- (c) explain why the creditors are expected to agree to a CVA; and
- (d) be authenticated and dated by the proposer.

(2) The proposal may be amended with the nominee's agreement in writing in the following cases.

(3) The first case is where—

- (a) no steps have been taken to obtain a moratorium;
- (b) the nominee is not the liquidator or administrator of the company; and
- (c) the nominee's report has not been lodged with the court under section 2(2).

(4) The second case is where—

- (a) the proposal is made with a view to obtaining a moratorium; and
- (b) the nominee's statement under paragraph 6(2) of Schedule A1(1) (nominee's opinion on prospects of CVA being approved etc.) has not yet been submitted to the directors.