

---

STATUTORY INSTRUMENTS

---

**2018 No. 1082**

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

PART 2

COMPANY VOLUNTARY ARRANGEMENTS

CHAPTER 4

Procedure for a CVA with a Moratorium

**Application to the court to replace the nominee (paragraph 28 of Schedule A1)**

**2.21.**—(1) Directors who intend to make an application under paragraph 28(1) of Schedule A1 for the nominee to be replaced must deliver a notice of the intention to make the application to the nominee at least five business days before lodging the application with the court.

(2) A nominee who intends to make an application under that paragraph to be replaced must deliver notice of the intention to make the application to the directors at least five business days before lodging the application with the court.

(3) The court must not appoint a replacement nominee unless a statement by the replacement nominee has been lodged with the court confirming that that person—

- (a) consents to act, and
- (b) is qualified to act as an insolvency practitioner in relation to the company.