
STATUTORY INSTRUMENTS

2018 No. 1082

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

PART 3

ADMINISTRATION

CHAPTER 12

Replacing the administrator

Application to court to remove administrator from office

3.65.—(1) An application for an order under paragraph 88 of Schedule B1 that the administrator be removed from office must state the grounds on which the order is requested.

(2) A copy of the application must be delivered, not less than five business days before the date fixed for the hearing—

- (a) to the administrator;
 - (b) to the person who—
 - (i) made the application for the administration order, or
 - (ii) appointed the administrator;
 - (c) to the creditors' committee (if any);
 - (d) to any continuing administrator of the company; and
 - (e) where there is neither a creditors' committee nor a continuing administrator appointed, to the company and the creditors, including any floating charge holders.
- (3) The court must deliver to the applicant a copy of any order removing the administrator.
- (4) The applicant must deliver a copy of the order—
- (a) as soon as reasonably practicable, and in any event within five business days of the copy order being delivered, to the administrator; and
 - (b) within five business days of the copy order being delivered, to—
 - (i) all other persons to whom notice of the application was delivered, and
 - (ii) the registrar of companies.