
STATUTORY INSTRUMENTS

2021 No. 1026

**INSOLVENCY, SCOTLAND
COMPANIES, SCOTLAND**

The Insolvency (Scotland) (Company Voluntary Arrangements and Administration) (Amendment) Rules 2021

Made - - - - 8th September 2021

Laid before Parliament 9th September 2021

Coming into force 1st October 2021

THE INSOLVENCY (SCOTLAND) (COMPANY
VOLUNTARY ARRANGEMENTS AND
ADMINISTRATION) (AMENDMENT) RULES 2021

PART 1

Introductory provisions

1. Citation commencement and interpretation
2. In these Rules the “Insolvency Rules” means the Insolvency (Scotland)...
3. Extent
4. Saving provisions
5. Nothing in Parts 2 to 4 of these Rules affects...

PART 2

Insertion of Part 1A into the Insolvency Rules

6. New Part 1A of the Insolvency Rules

PART 3

Miscellaneous amendments of the Insolvency Rules

7. Amendment of Part 1 of the Insolvency Rules
8. (1) Rule 1.19 (standard contents of documents relating to the...
9. (1) Rule 1.27 (standard contents of notices relating to the...
10. (1) Rule 1.34 (creditor’s election to opt-out) is amended as...
11. (1) Rule 1.35 (office-holder to provide information to creditors on...

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12. (1) Rule 1.52 (right to list of creditors) is amended...
13. Amendment of Part 2 of the Insolvency Rules
14. (1) Rule 2.3 (proposal: contents) is amended as follows.
15. (1) Rule 2.5 (statement of affairs (section 2(3))) is amended...
16. (1) Rule 2.25 (members' consideration at a meeting) is amended...
17. For rule 2.26 (creditors' consideration by a decision procedure) substitute
—...
18. Amendment of Part 3 of the Insolvency Rules
19. (1) Rule 3.23 (notice of intention to appoint) is amended...
20. (1) Rule 3.25 (notice of appointment without prior notice of...
21. (1) Rule 3.27 (publication of administrator's appointment) is amended as...
22. (1) Rule 3.30 (statement of affairs: content (paragraph 47 of...
23. (1) Rule 3.35 (administration's proposals: additional content) is amended
as...
24. (1) Rule 3.50 (expenses) is amended as follows.
25. (1) Rule 3.51 (order of priority) is amended as follows...
26. After 3.51 insert— Priority of moratorium debts in subsequent
administration...
27. (1) Rule 3.117 (estate to be distributed in respect of...
28. Amendment of Part 4 of the Insolvency Rules
29. (1) Rule 4.2 (application for a block transfer order) is...
30. Amendment of Part 5 of the Insolvency Rules
31. (1) Rule 5.6 (physical meetings) is amended as follows.
32. (1) Rule 5.8 (notices to creditors of decision procedure) is...
33. (1) Rule 5.9 (voting in a decision procedure) is amended...
34. (1) Rule 5.11 (notice of decision procedures or of seeking...
35. (1) Rule 5.14 (notice to company officers in respect of...
36. (1) Rule 5.22 (adjournment by chair) is amended as follows....
37. After rule 5.22 insert— Adjournment of meeting in, or for...
38. (1) Rule 5.23 (adjournment in the absence of chair) is...
39. (1) Rule 5.24 (statements of claim and documentary evidence of...
40. (1) Rule 5.26 (creditors' voting rights) is amended as follows....
41. (1) Rule 5.28 (calculation of voting rights) is amended as...
42. (1) Rule 5.29 (calculation of voting rights: hire purchase agreements)...
43. (1) Rule 5.31 (requisite majorities) is amended as follows.
44. (1) Rule 5.32 (appeals against decisions under this Chapter) is...

PART 4

Minor amendments of the Insolvency Rules

45. Schedule 1 makes minor amendments of the Insolvency Rules in...
46. Schedule 2 makes amendments of the Insolvency Rules in consequence...
Signature

SCHEDULE 1 — Minor amendments

1. The Insolvency Rules are amended as follows.
2. In the provisions of the Insolvency Rules specified in the...
3. This is the Table referred to in paragraph 2— Insolvency...

SCHEDULE 2 — Amendments in consequence of the repeal of Schedule A1 to the Insolvency Act 1986

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1. The Insolvency Rules are amended as follows.
2. In the provisions in the Insolvency Rules specified in the...
3. This is the Table referred to in paragraph 2— Insolvency...

Explanatory Note