
STATUTORY INSTRUMENTS

2018 No. 174

The Scotland Act 1998 (Insolvency Functions) Order 2018

Citation, commencement, extent and interpretation

1.—(1) This Order may be cited as the Scotland Act 1998 (Insolvency Functions) Order 2018 and comes into force on the day after the day on which it is made.

(2) This Order does not extend to Northern Ireland.

(3) In this Order—

“the 1986 Act” means the Insolvency Act 1986⁽¹⁾;

“the 1992 Act” means the Friendly Societies Act 1992⁽²⁾;

“the 1998 Act” means the Scotland Act 1998⁽³⁾;

“the 2000 Act” means the Limited Liability Partnerships Act 2000⁽⁴⁾;

“the 2010 Act” means the Interpretation and Legislative Reform (Scotland) Act 2010⁽⁵⁾;

“incorporated friendly society” has the same meaning as in section 116 of the 1992 Act;

“limited liability partnership” has the same meaning as section 1(2) of the 2000 Act;

“oversea limited liability partnership” has the same meaning as in section 14(3) of the 2000 Act⁽⁶⁾;

“the EU Regulation” has the same meaning as in section 436(1) of the 1986 Act⁽⁷⁾; and

“winding up” in relation to companies, incorporated friendly societies and limited liability partnerships, includes winding up of solvent, as well as insolvent companies, incorporated friendly societies and limited liability partnerships.

(1) 1986 c.45.

(2) 1992 c.40.

(3) 1998 c.46.

(4) 2000 c.12.

(5) 2010 asp 10.

(6) Section 14(3) was amended by [S.I. 2009/1804](#), Schedule 3, paragraph 6(3).

(7) A definition of “EU Regulation” was inserted into section 436(1) by [S.I. 2017/702](#), regulation 2 and the Schedule, Part 1, paragraph 28(b) and means Regulation (EU) 2015/848 of the European Parliament and of the Council of 20th May 2015 on insolvency proceedings (OJEU L. 141, 5.6.2015, p.19).