

# Notice of appointment of an administrator by company or director(s)

(Where a notice of intention to appoint has not been issued)

Pursuant to paragraphs 22 and 29 of Schedule B1 to the Insolvency Act 1986 and Rule 2.16 of the Insolvency (Scotland) Rules 1986

Name of Company
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Company number
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(a) Insert name and address of registered office of company

1. Notice is given that, in respect of (a) \_\_\_\_\_ (“the company”)

\*Delete as applicable

\*the company/the directors of the company (“the appointor”) hereby appoints

(b) Give name(s) and address(es) of administrator(s)

(b) \_\_\_\_\_

as administrator(s) of the company.

2. The amount of the company’s share capital paid up or credited as paid up is £ \_\_\_\_\_

3. The statement(s) of the proposed administrator(s) \*is/are attached.

4. The appointor is entitled to make an appointment under paragraph 22 of Schedule B1 to the Insolvency Act 1986.

5. This appointment is in accordance with Schedule B1 to the Insolvency Act 1986.

6. The company has not, within the last twelve months—

- (i) been in administration;
- (ii) been the subject of a moratorium under Schedule A1 to the Insolvency Act 1986 which has ended on a date when no voluntary arrangement was in force; or
- (iii) been the subject of a voluntary arrangement which was made during a moratorium for the company under Schedule A1 to the Insolvency Act 1986 and which ended prematurely within the meaning of section 7B of the Insolvency Act 1986.

7. In relation to the company there is no—

- (i) petition for winding up which has been presented but not yet disposed of;
- (ii) administration application which has not yet been disposed of; or
- (iii) administrative receiver in office.

\*Delete as applicable

8. The company \*is/is not \*an insurance undertaking/a credit institution/an investment undertaking providing services involving the holding of funds or securities for third parties/or a collective investment undertaking under Article 1.2 of the EC Regulation.

\*Delete as applicable

9. For the following reasons it is considered that the EC Regulation\*will/will not apply. If it does, these proceedings will be (c) \_\_\_\_\_

(c) State whether main, secondary or territorial proceedings

\_\_\_\_\_ proceedings as defined in

Article 3 of the Regulation: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\*Delete as applicable

10. Attached to this notice is \*a copy of the resolution of the company to appoint an administrator/a record of the decision of the directors to appoint an administrator.

11. Where there are joint administrators, a statement for the purposes of paragraph 100(2) of Schedule B1 to the Insolvency Act 1986 is attached.

(d) Insert name and address of court in which notice is to be lodged

12. This notice and accompanying documents are to be lodged in (d) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

to which any application for orders in relation to the administration should be made. Any enquiries in connection with this notice should be addressed not to the court but to the administrator at the address stated in this form.

(e) Insert name and address of person making declaration

13. I(e) \_\_\_\_\_

(If making the declaration on behalf of appointor indicate capacity e.g. director/solicitor)

hereby do solemnly and sincerely declare that:

- (i) the company is or is likely to become unable to pay its debts;
- (ii) the company is not in liquidation; and
- (iii) the statements in paragraphs 6 and 7 are, so far as I am able to ascertain, true,

and do solemnly and sincerely declare that the information provided in this notice is, to the best of my knowledge and belief, true,

**AND I making this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.**

Declared at \_\_\_\_\_

Signed \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 20

before me \_\_\_\_\_

A Notary Public or Justice of the Peace or Solicitor

**Endorsement to be completed by the court**

(f) Insert date and time

This notice was lodged on (f) \_\_\_\_\_

\_\_\_\_\_

