CASE REVIEW:
ADMINISTRATION

Case Name: ........................................
Appointee: ........................................
Appointee: ........................................
Appointment Date: ....................................
1. Introduction

1.1. The attached Case Review Pack is part of a series issued by ICAS. The objective is to provide documentary evidence of the conduct of the Administration and of periodic case review.

It is accepted that there are alternative methods of demonstrating that periodic reviews have been completed. Use of these review forms is not mandatory where it can be demonstrated that other appropriate methods of review are employed.

1.2. The case review forms assume that members are familiar with Administration procedures, gained through practical experience and through knowledge of the relevant statutory provisions. For the detailed requirements relating to Administrations in Scotland members should refer to legislation, to Statements of Insolvency Practice (Scotland) and to other guidance notes.

1.3. The case review forms are issued as aide memoires. They are not intended to replace detailed work programmes and they may not be relied upon as exhaustive.

1.4. The case review forms have been compiled using every best endeavour of ICAS and of those members whose expert opinion was sought. They are intended to apply only in the context of members dealing with Administrations in Scotland. It should be noted that, in using them, insolvency practitioners accept that no liability, howsoever caused, for loss or damage of any kind resulting from such use, attaches to ICAS, to any of its staff or to those individuals who contributed to their formulation and publication in respect of any fault, error, negligence or omission in their content.

1.5. The information contained in the case review forms is based on legislation current as at 26 May 2015, and is in respect of post Enterprise Act 2002 Administrations. Unless otherwise stated, references given are to the Insolvency Act 1986 (“IA”) as amended and the Insolvency (Scotland) Rules 1986 (“the Rules”) as amended.
| ADM 1 | Conflicts of Interest in Accepting Appointment |
|ADM 2 | Pre-Appointment Procedures – applicable to all types of appointment; and |
|ADM 2A | Pre-Appointment Procedures – Applicable to appointment by the court; or |
|ADM 2B | Pre-Appointment Procedures – Applicable to appointment by qualifying floating charge holder; or |
|ADM 2C | Pre-Appointment Procedures – Applicable to appointment by company or directors |
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ADMINISTRATION - CASE REVIEW

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ADM 14  Six Monthly Review; Accounts and Progress Reports

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ADM 15  List of Statutory Forms
**ADMINISTRATION - CASE REVIEW**

**CONFLICTS OF INTEREST IN ACCEPTING APPOINTMENT**

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1. Confirm that the appointee and all his partners and associates in the firm (if any) have had no significant professional relationship with the company or its directors in the three years prior to the appointment (Refer to the ICAS Ethical Guidelines Part A General and Part D Insolvency Practitioners)

2. Confirm that there are no matters which may be seen to impair objectivity

3. If there are potential problem areas prepare a file record stating the circumstances of the relationship and the conclusion reached about accepting the appointment

4. Confirm that the appointee and all his partners and associates had no financial interest in the company’s affairs prior to the appointment

5. Confirm that acceptance of this appointment will not give rise to a conflict with any other current assignment of the appointee or of his partners or associates (if any)

6. Confirm that there are no issues which would indicate that the appointment should not proceed

7. Confirm that Administration is an appropriate procedure in all the known circumstances. Note specifically if an objective (c) administration, why liquidation is not appropriate.

8. Confirm compliance with the Firm’s procedures for Client Identification and Money Laundering

9. Confirm that Ethics Checklist (if one exists) has been completed and signed off at appropriate levels

Reviewed and agreed
Completed by:

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1. Confirm that a company search has been obtained and reviewed. Ensure beneficial ownership identified.

2. Consider and document how the Administration can be funded before accepting appointment. If necessary, obtain suitable indemnity re fees and costs.

3. Check with Directors and Court whether any winding up petitions have been presented or any other petition for administration. Ensure no competing procedure e.g. receiver appointed; provisional liquidator appointed; petition for winding up extant; Company has been in administration or has had benefit of moratorium under Sch A1 in previous 12 months.

4. Agree with the party intending to make the Administration appointment the reasons for Administration and the objective to be pursued (see note below). (Note: The purpose of Administration comprises a hierarchy of three objectives:

   (a) survival of the Company as a going concern must be pursued unless this is not thought to be reasonably practicable or that objective (b) would achieve a better result for the Company’s creditors as a whole;

   (b) achieving a better result for the creditors as a whole than would be likely if the Company were to be wound up;

   (c) realising the Company’s assets to make a distribution to one or more secured or preferential creditors. Objective (c) may only be pursued if (a) and (b) are not reasonably practicable and the interests of the creditors as a whole are not unnecessarily harmed;

The reason(s) for pursuing (b) rather than (a), or (c) rather than (b), must be documented.)

5. Discuss with any floating charge holder(s) and the directors the possibility of appointing a receiver. It will only be possible if the floating charge was created on or before 14 September 2003 or if the Company falls into one of the special categories provided for in Section 72(A) to (H) IA.

6. Check if a Special Administration regime (per Section 249 of the Enterprise Act 2002) or Financial Services and Markets Act 2000 restrictions apply to the company and obtain necessary consents where appropriate.

7. Consider and document whether there are any environmental or licencing issues.
8. Consider any group company issues e.g. cross guarantees; group VAT registration; group tax relief; tenancies; leases; associated directors etc

9. Consider whether an indemnity required and from whom and if necessary, check validity of charges under which appointment is being made

10. Consider and document the tax implications of Administration (e.g. potential capital gains on property, use of losses, potential tax liabilities as an expense of Administration). If receivership is an alternative, note on file why Administration is the preferred route

11. Have intended Administrator complete form 2.1B (Scot) Consent to Act and document any prior professional relationship with the Company including provision of insolvency advice to the Company or directors on behalf of the Company; including advice on financial prospects and formal insolvency solutions available. This should also be attached to Form 2.18B (Scot). Complete para 100 (2) Statement setting out basis on which Joint Administrators will act.

12. Form 2.1B (Scot) also requires the intended Administrator to state that, in his opinion, the purpose of the Administration is reasonably likely to be achieved. The basis for the opinion should be recorded in a file note

PREPACK

13. Document any decision to undertake a pre-packaged sale of the business and/or assets of the Company. In particular, consider requirements of administrator to perform functions in the interests of the company creditors as a whole and, when objective is objective (c) to avoid unnecessarily harming the interests of creditors as a whole.

14. Consider whether consultation required with major creditors ie bank; landlord(s); HMRC; significant suppliers etc


16. Ensure independent valuations instructed and held on file
17. Consider preparing draft SIP 16 disclosures

Reviewed and agreed
Completed by:

Manager       Date

Appointee     Date
## PRE-APPOINTMENT PROCEDURES – APPOINTMENT BY THE COURT

**IP review:** dates ............... ............... ............... ............... ............... 

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1. Agree who is going to make the application to the Court. Either instruct, or advise the intended applicant to instruct, solicitors to assist in the preparation and service of documents and in attending Court.

The application may be made by any of the following:

- The Company and/or its directors and/or one or more of its creditors
- A Qualifying Floating Charge Holder (as defined in para 14(1) and (2) IA Schedule B1)
- A Liquidator
- The Supervisor of a voluntary arrangement

2. Obtain copy of Petition and Forms lodged at Court and file in the Sederunt File

3. Obtain copies of any interim orders granted by the Court and file in the Sederunt File. Ensure that any notice requirements stipulated by the Court have been adhered to and within timescales set.

4. Obtain a copy Court Interlocutor of the Administration Order granted by the Court and file in the Sederunt File. Ensure Form 2.5B (Scot) is sent by the petitioner to the Administrator. Obtain copies of any advertising instructed by the Court and file in Sederunt File.

Reviewed and agreed  
Completed by:

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1. Liaise with appointing floating charge holder to ensure that it will take the necessary steps to give notice to any prior floating charge holder and that it will attend to the lodging of the relevant documents in Court.

2. Provide to the floating charge holder the following documents (and retain copies):
   - Form 2.1B(Scot)
   - If Joint Administrators are to be appointed, a statement as to which functions, if any, are to be exercised by the Administrators jointly and which functions can be exercised by any or all of them per para 100(2).

3. Obtain confirmation from the floating charge holder of the date on which it intends to file the documents in Court. The filing date marks the beginning of the Administration and the Administrator’s appointment.

4. Obtain from the floating charge holder Form 2.5B (Scot) Notice of Appointment sealed and endorsed by the Court and ensure placed in Sederunt File.

5. Out of Hours Appointment: ensure qualifying floating charge holder has reason to require urgent application relating to Company. Where the Notice of Appointment is faxed to Court when it is not open for business, the appointment of the Administrator takes effect from the date and time of the fax transmission. Retain copy of the fax transmission.

6. Ensure floating charge holder has lodged in court on next available business day copy of Form 2.6B (Scot) and fax transmission with a full statement setting out requirements of out of hours appointment.

Reviewed and agreed
Completed by:

Manager                      Date

Appointee                    Date
1. Ensure directors/company are aware that:

(a) They must pass a resolution of the Board (for Directors’ Appointment) before commencing appointment procedure or (for Company’s Appointment) a resolution of the members. Check Company’s Articles if necessary for compliance.

(b) they must give 5 business days’ written notice to anyone entitled to appoint an (Administrative) Receiver or to any Qualifying Floating Charge Holder (as defined in Para 14(1) and (2) IA Schedule B1) on Form 2.7B (Scot) attaching a copy of the relevant resolution per (a).

(c) if there are any Qualifying Floating Charge Holders, the directors’ choice of Administrator could be replaced by the Qualifying Floating Charge holders’ choice and if there is no Qualifying Floating Charge Holder, the directors’ choice could be replaced by the creditors’ choice.

2. Establish from the Directors/Company who is going to lodge the appointment documents in Court. Advise them to instruct solicitors to assist them in the preparation and service of documents and in attending Court.

Ensure that they are aware that it is the appointor's responsibility to ensure that adequate notice is given to any Qualifying Floating Charge Holder(s) and a list of other parties per para 26 and Rules 2.13-2.16, and that all documents are prepared, lodged and served correctly. Notice of Intention to Appoint must be filed first and is valid for 10 business days, and all other Notices must be given within these 10 days.

3. Provide to the prospective appointor the following documents (and retain copies):

- Form 2.1B (Scot)
- If Joint Administrators are to be appointed, a statement as to which functions, if any, are to be exercised by the Administrators jointly and which functions can be exercised by any or all of them

4. Obtain confirmation from the appointor of the date on which it intends to file the documents in Court. The filing date marks the beginning of the Administration and the Administrator's appointment.
5. Obtain from the appointor a Notice of Appointment sealed and endorsed by the Court and ensure placed on Sederunt file

Reviewed and agreed
Completed by:

Manager

Date

Appointee

Date
**ON APPOINTMENT PROCEDURES**

**IP review**: dates  

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1. Confirm appointment advertised in The Edinburgh Gazette. If required, advertise appointment in one newspaper circulating in the areas where the Company has its principal place of business or in such newspaper as is appropriate for ensuring that the order comes to the notice of the creditors. Confirm copies of adverts are filed in the Sederunt File.

2. Confirm Notice of Appointment (Form 2.11B (Scot)) is sent to:
   - A Receiver, if appointed
   - A Petitioner in a Petition for the winding up of the Company if their Petition is pending
   - Any Provisional Liquidator of the Company, if appointed
   - any Supervisor of a voluntary arrangement
   - the Keeper of the Register of Inhibitions and Adjudications
   - Any Sheriff Officer charged with executing legal process against the Company
   - Any person who has hypothec against the Company and that a copy of Form 2.11B (Scot) is filed in Sederunt File.

3. Confirm that Notice of Appointment (Form 2.11B (Scot)) is sent to the Company.

4. Confirm that Notice of Appointment (Form 2.11B (Scot)) is sent to the Registrar of Companies within 7 days of appointment.

5. Confirm certificate of posting completed for circular to creditors and filed in Sederunt File with copy of circular and list of creditors. Ensure all other interested parties are included in notification e.g. agents; utility companies; HP or lease creditors; landlords; Company's solicitors; accountants or auditors.

6. Arrange insurance cover for assets if appropriate. Ensure that arrangements are made to comply with any policy conditions.

7. Confirm that the appointment has been included on the Bordereau.

8. Confirm that the directors and management have been advised of the effect of the Administrator’s appointment. Issue appropriate written instructions and ensure that a copy is filed.

9. Prepare notes of the initial meeting with the directors (sign and date them) and pursue the matters noted. Consider any action required.
### ADMINISTRATION - CASE REVIEW

**ON APPOINTMENT PROCEDURES**

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10. Confirm that a list of all of the Company’s bank accounts has been obtained and the appointment of Administrator notified to banks.

11. Issue relevant instructions regarding the trading activities and refer to the case review form dealing with trading - (ADM 9).

12. Open an interest bearing bank account and set up an accounting record for the case.

13. Consider meeting with employees to explain situation. Issue letter advising effect of appointment and employee rights.

14. If there are 20 or more employees (in total), ensure that a notice of proposed redundancy is sent to the Redundancy Payments Service on behalf of the Department of Business Innovation and Skills on Form HR1 and, where appropriate, to relevant unions. Ensure that where no union(s), employees are given opportunity to elect representatives.

15. List all credit cards in the name of the Company and either withdraw them for return to the card issuer or confirm to the holders the limit of their use.


17. Commence the statutory Form of Record.

18. Open the Sederunt File (if not already done so).

19. Ensure that the Company’s Memorandum & Articles have been scrutinised to confirm its authority to borrow and to grant security.

20. Confirm that instructions have been issued that all business documentation, including e-mail and website, issued by or on behalf of the Company should show the name of the Administrator and his authorising body under S392 of the Insolvency Act, and state that the affairs, business and property of the Company are being managed by him and with exclusion of personal liability.

21. Ensure s120 notifications issued to Pension Regulator, Pension Protection Fund and Trustees of Scheme within 14 days of appointment.
ON APPOINTMENT PROCEDURES

22. Consider whether back up and/or copy of Company's systems can be taken as at date of appointment. Obtain all passwords to software and change as necessary. Consider changing security access for employees. If required, ensure continuity of supply from internet service provider, web host and software providers.

23. Ensure all relevant meter readings obtained, documented and filed, and notified to relevant supplier with change of supply details.

24. Consider whether redirection of mail required at outset.

25. Consider Health and Safety position and if necessary instruct professional advisers to assist.

26. Consider environmental position and if necessary instruct professional advisers to assist.

27. Check whether Company registered under Data Protection Act, in what capacity and whether notification/registration required.

28. Consider changing Company's registered office to IP's address.

29. Obtain full details of all books and records maintained by the Company (or held to its order) and prepare full inventory. Ensure directors sign off and confirm complete listing.

PRE-PACK

30. Immediately following appointment, complete Notice of Administrator's Appointment Form 2.11B (Scot) and send with covering letter to aforementioned parties (ADM3 point 2). Ensure notification contains SIP 16 disclosures as necessary. Notification must be sent as a maximum within 7 days of date of the sale of the business.

31. Ensure copy of initial letter also sent to the Insolvency Service enclosing SIP 16 disclosures.

Reviewed and agreed
Completed by:

Manager Date

Appointee Date

Version 3.1
Issued June 2015
PREPARATION OF THE STATEMENT OF AFFAIRS, THE ADMINISTRATOR’S PROPOSALS AND FOR THE MEETING OF CREDITORS

STATEMENT OF AFFAIRS

1. Ensure that Notices (Form 2.12B (Scot)) requiring the submission of a Statement of Affairs (within 11 days of the notice or such longer period as the Administrator authorises) have been issued and, where applicable, any follow up reminders for non-submission are put in writing to those concerned.

2. Consider whether there is, or is likely to be, any sensitive information in the Statement of Affairs (ie anything that would prejudice the conduct of the Administration if disclosed or any risk of violence against any person) which would make an application to Court for an order for limited disclosure of the Statement of Affairs desirable. If so, ensure that the necessary application to Court is made.

3. Consider if any Statements of Concurrence are required in respect of the Statement of Affairs and, if so, take steps to obtain them.

4. Ensure that Forms 2.13B, 2.14B and 2.15B (Scot), the Statement of Affairs, Statement of Concurrence and Notice of Statement of Affairs are sent to the Registrar of Companies and a copy placed on the Sederunt File as soon as reasonably practicable. Enclose any court order limiting disclosure where appropriate.

ADMINISTRATOR’S PROPOSALS

5. Ensure the Administrator’s proposals are prepared promptly. The proposals must be circulated “as soon as reasonably practicable” and no later than 8 weeks from the date on which the Company entered Administration.

6. If pre-pack, where possible send proposals out with notice of appointment within 14 days of appointment.

7. Ensure all matters per Rule 2.25 are covered in proposals.

8. Ensure that the decision is taken promptly on whether a creditors’ meeting is to be called. A meeting must be called unless the Administrator includes in the proposals a statement either that:
   • the Company has sufficient property to enable each creditor of the Company to be paid in full, or
   • the Company has insufficient property to enable a distribution to be made to unsecured creditors other than by virtue of the Prescribed Part (as defined in Section 3 of the Insolvency Act 1986 (Prescribed Part) Order 2003) or
the Administration has as its objective: (c) to realise property for the benefit of secured and/or preferential creditors only

NO MEETING HELD

9. If a meeting is not called, ensure reason(s)/justification is documented on the Sederunt File.

10. Ensure that the following are sent to members and creditors:

- a covering letter explaining why a meeting is not being held and drawing to creditors’ attention their right to request a meeting
- a copy of the proposals, which must include a statement referred to in 8 above
- a copy of the creditors’ guide to Administrators’ fees

11. Where no meeting is held, and no creditors object to proposals, the proposals are then deemed to be approved on expiry of 8 business days from when sent out. As soon as reasonably practicable thereafter send a copy notice and a copy of the proposals with Form 2.16BZ (Scot) to the Court, the Registrar of Companies, and the creditors. Ensure any creditors not receiving copy proposals previously get a copy with the Notice of Deemed Approval.

MEETING OF CREDITORS

There is provision in paragraph 58 of Schedule B1 IA and Rule 2.28 of the Rules for the conduct of the business of a creditors’ meeting to be carried out by correspondence. The Administrator must set a closing date for the receipt of votes and comments and must receive at least one response for proposals to be approved, otherwise he must summon a creditors’ meeting.

12. A meeting need not be physical but can be held by correspondence, or electronically. Creditors can attend in person or remotely even if the meeting has no physical location.

13. If a meeting is called ensure that it is held within 10 weeks of the Company entering Administration and that 14 days’ notice minimum is given.
14. Ensure that the following are sent to all known creditors:
   - the proposals or notice of the website from which they can be accessed
   - a notice of the meeting
   - notice of claim for voting purposes
   - proxy form
   - a copy of the creditors’ guide to Administrator’s fees
   - access arrangements for attending the meeting remotely
   - consent to receive information electronically

15. Ensure that a copy of the proposals is sent to:
   - each member of the Company
   - the Registrar of Companies with Form 2.16B (Scot)

If there is a large number of members, as an alternative to sending a copy of the proposals to each one, the Administrator may advertise in a suitable newspaper to ensure the notice comes to the attention of the members, and supplying an address to which members can write for a free copy of the proposals.

16. The advertisement must be placed as soon as reasonably practicable after the Administrator sends the proposals to creditors but must be within 8 weeks from the date that the Company entered Administration.

Ensure a copy of the advertisement is placed in the Sederunt File.

*Note: the time limit for preparing the proposals and extending the period for the meeting can only be extended with the permission of the Court.*

17. Ensure that notice of creditors’ meeting is placed in:
   - The Edinburgh Gazette
   - Any other advertising is at the discretion of the Administrator and in such manner as the Administrator thinks fit to ensure that the meeting comes to the notice of persons entitled to attend.

*Note: Ensure that the Edinburgh Gazette Notice provides all information required under Rule 7.21A as Form 2.10B (Scot) does not capture all information required.*
### PREPARATION OF THE STATEMENT OF AFFAIRS, THE ADMINISTRATOR’S PROPOSALS AND FOR THE MEETING OF CREDITORS

**IP review**

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18. Confirm that information / documents for the meeting are ready including agenda, attendance register, blank consents for creditors to act on the creditors’ committee, any signed proxies etc.

19. Confirm, if appropriate, that there is written authorisation for a person other than the appointee to chair the meeting although where possible the Administrator should chair.

20. Consider resolutions required at meeting:
- approval of proposals (with or without modification)
- appointment of creditors’ committee
- basis of remuneration
- category 2 disbursements
- pre-appointment costs and disbursements
- discharge from liability at conclusion

21. Prepare minutes of the creditors’ meeting and have them signed by the Chairman. File the minutes on the Sederunt File and place a copy in the Company’s minute book. Minute to include names and addresses of creditors attending (in person, by proxy or remotely); details of any creditors’ committee elected and every resolution passed.

22. After any creditors’ meeting the Administrator must, as soon as practicable:
- send notice of the result of the meeting on Form 2.18B (Scot) to every creditor who received notice of the original meeting
- lodge in Court and send to the Registrar of Companies a copy of Form 2.18B (Scot) and a copy of the proposals considered at the meeting
- place a copy of Form 2.18B (Scot) in the Sederunt File

23. Identify any additional creditors and send them form 2.11B (Scot), 2.18B (Scot) and copy proposals and claim form.
24. **Substantial Revisions to Proposals**

Ensure that if the Administrator has made substantial revisions to proposals which have been approved by the creditors, a creditors’ meeting is summoned sending to each creditor:

- a statement of the proposed revisions attached to Form 2.17B(Scot) (see Rule 2.34 of the Rules for the matters which must be included)
- a notice of the meeting
- a proxy form

A copy of the statement must also be sent to each member of the Company within 5 days of the statement being sent to creditors.

Alternatively, the Administrator may advertise in The Edinburgh Gazette and a newspaper an address to which members can write to obtain a copy of the statement.

**CREDITORS’ COMMITTEE**

25. If a creditors’ committee is formed at the meeting, obtain the names, addresses and telephone numbers of the creditors concerned and, if they are corporate bodies or partnerships, the details of the persons representing them. Confirm compliance with SIP 15 (Scotland).

26. Ensure Certificate of Constitution (Form 4.20 (Scot)) is signed by Chairman at the meeting and then filed with Register of Companies.

27. First meeting of Committee must be held within 6 weeks of establishment. Meetings can also be held by correspondence. Prepare minutes of all meetings and send minutes to Committee for approval. Signed copies should be held on Sederunt File.

28. If Committee members change at any time, ensure changes are notified on a fresh 4.20 (Scot) and 4.22 (Scot) to Registrar and send amended certificate to Committee as well.
ADMINISTRATION - CASE REVIEW
ADM4

PREPARATION OF THE STATEMENT OF AFFAIRS, THE ADMINISTRATOR’S PROPOSALS AND FOR THE MEETING OF CREDITORS

# PRE-APPOINTMENT DEALINGS AND THE RETURN ON THE DIRECTORS

These steps may be of assistance in relation to completing the returns on directors under CDDA 1986

1. Confirm that enquiries have been made to identify all assets.
2. Confirm that available books and records have been reviewed and inventoried.
3. Confirm where appropriate that information has been sought from third parties (accountants, banks, employees etc).
4. Confirm that matters raised by third parties have been adequately addressed and that the actions taken are supported by appropriate file notes/correspondence.

## THE RETURN ON THE DIRECTORS

5. Confirm that the creditors have been advised of the Administrator's duty to submit a return on directors. If appropriate issue creditor questionnaire requesting information.
6. Confirm that directors who were directors (including executive, non-executive, shadow and de facto) within the 3 years prior to Administration have been requested for details of their involvement / knowledge. Use suitable questionnaire if necessary.
7. Confirm that the Company's books and records have been scrutinised and that the matters set out in Appendices I and II of the CDDA and any current guidance of the Disqualification Unit have been given due consideration.
8. Ensure that sufficient investigation per SIP 2 has been carried out.
9. Consider reviewing bank statements, reconciling directors’ loan accounts; whether there is a requirement to interview directors in person; investigate recent asset disposals.
10. Document all findings. Note whether further investigation is required or whether any litigation arising from investigation is proposed. Seek permission of Creditors’ Committee or Court before commencing action.
11. Report any criminal behaviour or activity to the appropriate authorities.
12. Confirm that returns on directors were lodged within 6 months of appointment (CDDA).
13. Lodge form D1 (Scot) where unfitted conduct has been identified. If no unfit conduct, lodge Form D2 (Scot).

14. If investigations are ongoing, lodge form D2 (Scot) as an interim return. Where an interim return has been lodged confirm the due date for lodging the final report (date………………..)

15. Interim return was submitted on ………………. 

16. Final report was submitted on ……………… 

17. Confirm that sufficient documentation is filed to evidence the scope of work done and in support of the comments made in report.

18. Remember that reports are privileged in first instance and should not be held on Sederunt File. In event that D1 or D2 is released by the Disqualification Unit in the course of litigation, ensure that the report is not defamatory and that allegations can be substantiated.

19. In the event that directors are pursued for disqualification, ensure that the Disqualification Unit consent to the closing of the case and/or the destruction of Company books and records.

Reviewed and agreed
Completed by:

Manager                                                                 Date

Appointee                                                                 Date
1. Confirm that steps have been taken to identify and protect the company's assets, including books, records and items located at third party premises.

2. Make appropriate arrangements in respect of any assets required on an ongoing basis which are subject to lease or HP agreements.

3. Confirm assets on hire purchase/credit sale agreement have been reviewed to ascertain if there is any equity. Confirm that appropriate action has been taken and that it has been recorded.

4. Record proposals for maximising asset realisations.

5. Confirm that independent valuations have been sought if appropriate. If not, record the reasons why not.

6. Confirm that specialist agents have been appointed if appropriate eg pension advisors, quantity surveyors etc.

7. Carry out stock check. Consider impact of retention of title and/or landlord’s hypothec.

8. Identify Reservation of Title/HP/leased asset and record how many claims have been disposed of, take legal advice if appropriate.

9. Confirm that pension schemes have been investigated and record findings. Confirm whether or not independent trustees were appointed.

10. Confirm that any unpaid capital has been collected.

11. Confirm that where assets subject to a fixed security are being sold on behalf of the secured creditor, agreement has been reached to deduct the fees from sale proceeds.

12. Where heritable property, record search details; instruct valuation; review and quantify securities; identify any other burdens (e.g. leases, rights of way) and instigate strategy to sell. Where necessary consult with secured lender for permission and agree underwriting of costs. Consider whether court authority to sell is required.

13. Where leasehold property, obtain and review lease. Instruct valuation. Consider terms of lease and whether insurance required. If premises required for trading, consider whether negotiations required with landlord. Also consider impact/date of any forthcoming rent quarter.

14. If lease not required, confirm whether landlord will irritate or agree to renunciation.
### SALE OF BUSINESS

| 15. | Document whether sale as a going concern is possible (per any approved objective) or whether assets to be sold on break up basis. |
| 16. | Prepare sales particulars/instruct agents accordingly. Maintain a record of advertising/contact with interested parties. |
| 17. | Consider advertising requirements. |
| 18. | Document decisions regarding any offers received. |
| 19. | Instruct legal agents re sale of business, ensuring information provided re TUPER 2006 as appropriate and that no guarantees/warranties provided without express agreement of Administrator. |

### ON CONCLUSION

| 20. | Ensure any insurance is cancelled on conclusion of the sale. |
| 21. | Confirm that asset realisations have been reconciled to the Statement of Affairs figures and an explanation provided of significant differences. |

Reviewed and agreed
Completed by:

Manager
Date

Appointee
Date

Version 3.1
Issued June 2015
1. Confirm that adequate accounting and credit control systems are in operation. Retain details of the sums owing at the date of appointment and commence collection procedures.

2. Take control of all documentation including orders, delivery notes, invoices, contracts, conditions of trading etc.

3. Where there is a floating charge holder or assignation over book debts, check validity. Take legal advice as necessary. If valid, agree with holder re collection strategy and costs. If the company is an English registered company trading in Scotland, consider the implications if any book debts are purportedly subject to a fixed charge.

4. Review the appropriateness of the company's follow up procedures for book debts. Instigate collection procedures through usual channels or consider whether specialist collection agents are required.

5. Appoint agents to deal with contract balances if appropriate (e.g. quantity surveyors).

6. Confirm that adequate records are maintained in support of any decisions regarding contract balances.

7. Confirm that debts have been pursued in line with a collection timetable.

8. Confirm that debts written off have been adequately pursued and that the reasons for the write offs are recorded.

9. Confirm that progress in debt collection was reviewed on date:
    date:
    date:

10. Confirm that VAT bad debt relief has been claimed pre and post appointment and with corresponding impact reflected on relevant VAT Returns.

11. Confirm that legal advice has been sought if required and litigation for collection documented. Seek consent of Creditor Committee or Court as appropriate.

Reviewed and agreed
Completed by:

Manager                                                               Date

Appointee                                                             Date

Version 3.1
Issued June 2015


Secured

1. Ensure confirmation has been sought from the secured creditor of the amount owed and of the nature of any security (fixed or floating).

2. Confirm that the validity of the charge has been verified and where appropriate that it has been challenged.

3. Consider the need to instruct a search against heritable property.

4. Review whether the value of heritable property at the commencement of the case exceeds the amount secured thereon and confirm that a record is maintained of periodic review of the position and of realisation action agreed upon.

5. Where there is more than one lender (fixed or floating) obtain a copy of any ranking agreement, take legal advice if necessary.

6. Confirm that consolidation clauses or rights to set off have been verified and dealt with as appropriate.

7. Confirm that details of inhibiting creditors’ claims have been recorded and appropriate action is taken. (Only required where inhibitions pre-date 22 April 2009 and are still effective) Inhibitions lodged thereafter have no preferential ranking in succeeding insolvency procedure.

8. Ensure proceeds of secured assets remitted to appropriate security holder. Apportion fees and costs appropriately between fixed and floating charges.

9. If payment to floating charge holder is intended, ensure that floating charge has crystallised either as a result of para 115 Notice being filed with the Register of Companies or as a result of the court granting permission to make a distribution to unsecured creditors over and above the prescribed part.

Preferential

10. Confirm that all preferential claims are documented.

11. Where employees have received funds under ERA provisions, ensure that a claim has been received from the Redundancy Payments Office. Ensure that residual preferential claims due to employees have been quantified and agreed.
ADMINISTRATION - CASE REVIEW
ADM 8

SECURED / PREFERENTIAL CREDITORS

IP review: dates ................................ ................................ ................................ ................................

File ref

Initials Date

12. Check whether there is a preferential subrogated claim for wages.

Reviewed and agreed
Completed by:

Manager Date

Appointee Date
TRADING

IP review: dates  ...............  ...............  ...............  ...............  ...............  ...............  ...............  ...............  ...............
File ref  Initials  Date

1. Confirm that the matters considered in deciding to trade on are fully documented and how this fits in with the overall objective of the Administration.

2. Confirm that funding has been agreed at an early stage. Ensure a suitable indemnity is in place if required.

3. Confirm that suppliers and customers have been advised of trading terms: where can and cannot set off; the effective date and that Administration documentation shows that the company is in Administration.

4. Confirm that continuity of supplies/alternative supply arrangements have been made.

5. Confirm that provision has been made for the preparation of cash flows, site reporting and periodic Profit & Loss accounts.

6. Confirm that retained staff have been properly briefed (including on reservation of title and cut off between pre and post Administration trading) and that an ordering/payment system is in place.

7. Confirm that physical security and authorisation protocol and trading controls have been introduced and are documented.

8. Confirm that licences/permits etc have been obtained and documents of value, eg leases, vehicle registration forms, are secured.

9. Confirm that insurers have been advised.

10. Confirm that sales particulars have been prepared and a record maintained of advertising, interested parties etc.

11. Confirm that the Creditors’ Committee (if any) has been kept advised.

12. Confirm ongoing periodic review of trading results and the recording of decisions taken.

13. Ensure adequate controls over incoming and outgoing mail (hard copy and electronic).

14. Ensure arrangements in place to pay workforce on time and consider implications for RTI reporting.

15. Consider impact of any liens over stock.

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<td><strong>ADMINISTRATION - CASE REVIEW</strong></td>
<td>ADM 9</td>
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<tr>
<td>17. List suppliers with potential retention of title. Deal with ROT claims. Consider impact of ROT on stock levels and corresponding sales.</td>
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<tr>
<td>18. Ensure stock take is carried out at commencement of trading, checked periodically throughout and then again at conclusion.</td>
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<tr>
<td>19. Ensure sequences for post-appointment trading are in place and suitable order controls exists. Supply specimen signatures and where necessary revised terms and conditions of purchase and supply.</td>
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<td>20. Consider extent to which ongoing software support, ISP and website required for trading.</td>
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<tr>
<td>22. Arrange for ongoing supply of merchant services and ability to take debit and credit card payments from customers where necessary.</td>
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<tr>
<td>23. Quantify outstanding gift vouchers/credit notes and agree strategy for acceptance/rejection.</td>
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<td>24. Take and record meter readings and advise all utility suppliers of appointment.</td>
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<td>25. Confirm schedule of utility exposure set up to record and monitor ongoing billing, termination and final payment of each liability.</td>
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<td>26. Confirm postal re-direction set up on vacation of premises.</td>
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Reviewed and agreed
Completed by:

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<td><strong>Appointee</strong></td>
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1. At any time before the end of an accounting period, consider whether to submit to the Creditor Committee or meeting of creditors an interim claim for the period in respect of outlays and remuneration.

The creditors or committee may make an interim determination. Ensure that any interim claim previously approved and paid is notified to the committee/meeting and taken into account when fixing fees at the end of the accounting period.

2. Within 2 weeks of the end of an accounting period, prepare and submit to the Creditor’s Committee or to a meeting of creditors (in person, remotely or by correspondence):
   - An account of intromission for audit
   - If funds are available, a scheme of division
   - Claim for outlays reasonably incurred and a claim for remuneration
   - Ensure documentation is SIP 9 compliant

3. Ensure that the Committee/meeting have audited the accounts if they wish (not mandatory) and have issued a determination fixing outlays and remuneration (which is mandatory).

4. Administrator must make the audited accounts, scheme of division (if any) and determination available for inspection by members and creditors.

Ideally combine full details in progress reports to be issued. (ADM11 and ADM14)

5. If fees fixed by the Committee are insufficient, consider requesting an increase by resolution of creditors.

If the Committee fails to issue a determination, submit a claim to a meeting of creditors instead for determination, unless a statement has been made in accordance with paragraph 52(1)(b) (prescribed part only distribution), in which case approval of the secured creditor and 50% of the preferential creditors in value responding is required.

6. Where a statement has been made in accordance with paragraph 52(1)(b) (prescribed part only distribution), or there is no committee, or no determination has been issued, then remuneration and outlays may be fixed by approval of:
   - Each secured creditor
   - Where there is a distribution to preferential creditors, 50% in value of the preferential creditors responding
7. If the Administrator considers that fees fixed by creditors generally are still insufficient, he may apply to court for an order to increase.

Give 14 days’ notice of the application to the Committee. Ensure that a member of the Committee is nominated to appear before court to represent the creditors’ interests.

Alternatively, if there is no Committee, ensure notice of the application is sent to creditors’ representatives (as nominated by the court) so that creditors can ensure that one of their number appears at court.

8. Any creditor(s) representing in value at least 25% of creditors may apply to court not later than 8 weeks after the end of an accounting period for an order that the remuneration is excessive and may be reduced.

9. If the Court issues an order, it can reduce the fees accordingly.

10. Where Administrator has fixed fee agreement with secured creditor, ensure that fee requests are approved by secured creditor and details of any remuneration approved and paid are disclosed in the relevant progress report to creditors. Any payments made should also be detailed in the supporting Receipts and Payments and SIP 7 compliant.

PRE APPOINTMENT COSTS

11. Where a statement has been made within the proposals to seek approval of pre-administration costs, ensure a resolution has been put to the Creditors’ Committee or, if there is no Creditors’ Committee, a meeting of creditors seeking approval of such costs.

12. Where there is a Creditors’ Committee and they fail to make a determination, seek approval from a meeting of creditors instead unless a statement has been made in accordance with paragraph 52(1)(b), in which case approval of the secured creditor and 50% of the preferential creditors in value responding is required.
13. Where no determination is made by the Creditors’ Committee or a meeting of creditors or by the secured and preferential creditors where a statement under paragraph 52(1)(b) (prescribed part only distribution) as applicable, or that the determination is considered insufficient, then consider an application to the court for determination.
PROGRESS REPORTS/EXTENDING THE ADMINISTRATION

1. Confirm that progress of Administration is reviewed on a regular basis. Progress reports must be prepared and issued within 6 weeks of the end of each accounting period. (Accounting periods are 6 months from the commencement of the administration unless they have been shortened or lengthened with agreement of Creditors’ Committee or Court).

2. Ensure that, if the Administration cannot be concluded within 12 months, arrangements are made to apply for an extension at least 2 months before the Administration is due to end automatically.

3. The creditors can extend an Administration once for a maximum period of 1 year. It cannot be extended in this way if the Administration has previously been extended by the Court.

4. Consent to extend must be obtained from all secured creditors and more than 50% in value of unsecured creditors who respond to an invitation to vote.

5. If the Administrator has previously made a statement under paragraph 52 of Schedule B1 IA, (distribution under prescribed part only) consent is required from all secured creditors and more than 50% of preferential creditors who respond to an invitation to vote.

6. If a meeting is to be held in person, by correspondence or remotely, 21 days’ notice must be given and the following documents sent to creditors in advance of the meeting:
   - a progress report on the Administration for the period from the date of the last progress report (if any) or the beginning of the Administration. Ensure that reasons for the extension are clearly set out and creditors are given the opportunity to object to the requested extension. Fix a reasonable timescale for receipt of the objections.
   - notice of the meeting
   - a proxy form

7. Ensure that, where a meeting is held, the Sederunt sheet and minutes of the meeting are placed on the Sederunt File

8. Ensure that, as soon as practicable, after the creditors’ consent has been obtained, a notice of extension of period of Administration (Form 2.22B (Scot)) is
   - lodged in Court
   - notified to the Registrar of Companies
   - notified to creditors who were not required to consent to the extension

Version 3.1
Issued June 2015
9. The Scottish Court of Session requires Administrators to demonstrate consultation with creditors prior to granting any extension of the Administration process. Ensure therefore that an up to date progress report is issued to creditors. Ensure that reasons for the extension are clearly set out and creditors are given the opportunity to object to the requested extension. Fix a reasonable timescale for receipt of the objections.

10. If an application to Court is to be made for an extension of the Administration ensure that the application deals with the following matters:

   - a progress report on the Administration for the period since the last progress report, if any
   - the reasons why the Administration cannot be completed within the permitted timescale
   - the likely outcome for the Company and for the creditors if the Administration is not extended
   - the value expected to be obtained from extending the Administration
   - an estimate of the additional costs to be incurred if the Administration is extended
   - notice of intention to apply notified to creditors, and any objections received from creditors

11. If the court grants an extension ensure that, as soon as reasonably practicable, a notice of extension of period of Administration (Form 2.22B (Scot)) is sent to the Registrar of Companies and to all known creditors.

12. If approval is not obtained, the Administration will have to be brought to an end before the time limit expires.

Reviewed and agreed
Completed by:

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Manager                Date

Appointee              Date

Version 3.1
Issued June 2015
SECURED CREDITORS
1. If any assets subject to a Standard Security are sold, ensure that their proceeds of sale have been accounted for to Standard Security holder.

PREFERENTIAL CREDITORS
2. Ensure that all preferential claims have been lodged.

PREScribed PART
3. Where any charges created on or after 15th September 2003 the prescribed part provisions are applied.

4. Calculate the prescribed part of the company’s net property. Ascertain the value of the company’s net property (i.e. property that would have been distributable to floating charge holder) and after deduction of the Administrator’s costs. Ensure costs associated with realising floating charge assets, paying preferential creditors in full, the general costs of administration and the costs of confirming the validity of the floating charge are deducted before the prescribed part is calculated.

5. If the company’s net property is below the prescribed minimum of £10,000, consider whether the costs of distributing the prescribed part would be disproportionate to the benefits.

6. If the company's net property is greater than £10,000, then the prescribed part of the net property available for unsecured creditors is 50% of the first £10,000, and then 20% of the balance to a maximum of £600,000. Document calculation.

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<tr>
<td>Net property</td>
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<td>50% of first £10,000</td>
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<td>20% of balance</td>
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<td>Prescribed part (max £600,000)</td>
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7. The prescribed part should be distributed to unsecured creditors unless an application is made to Court to the effect that the cost of making a distribution would be disproportionate to the benefit.
## Disapplication of prescribed part

8. Where prescribed part is less than £10,000 and Administrator thinks cost of distribution disproportionate to benefit, prescribed part is automatically disapplied.

9. Prepare file note setting out basis on which prescribed part does not apply. Ensure that creditors informed of decision in next progress report.

10. Where prescribed part is more than £10,000 but administrator still thinks cost of distribution disproportionate to benefit, instruct solicitor to apply to court under s176(5) for authority to disapply requirement to set aside prescribed part. Consider at the same time requesting court authority to advertise notice of order (if made) in newspaper in place of sending individual notice to every creditor.

11. As soon as decision made to apply to court, inform creditors in next progress report of intention to apply to court for prescribed part to be disapplied.

12. As soon as reasonably possible after receiving court order authorising disapplication of prescribed part

   - send certified copy of the court order to the company at its registered office
   - send form 4.31(Scot) with copy of order to Registrar
   - give notice of the order to all known creditors

13. Notice to creditors to be given either

   - by notice sent by post to individual creditors, or
   - if authorised by court, by advert in the Edinburgh Gazette
   - and in such other manner as the administrator thinks fit


15. If notice by advertisement, obtain copy of advert and place advert and court order in Sederunt File. In next progress report to creditors advise that court has granted order to disapply.
Permission to make distribution to secured and preferential creditors

16. The Administrator may make a distribution to secured and or preferential creditor if he has sufficient funds for the purpose and he does not intend to exit the administration via a CVL.

17. Ensure therefore that there are:
   - Sufficient funds for the purpose of making a distribution
   - Exit route is not per para 83 CVL
   - Ensure that proposals include a proposal to make a distribution to the class of creditor in question and
   - that payment of the dividend is consistent with the functions and duties of the Administrator and consistent with the proposals.

18. The Administrator can pay the preferential creditors at any time but only with the consent of the Creditors’ Committee (if there is one) or permission of the court. Ensure therefore that appropriate approval is obtained before distributing funds to the preferential creditors.

Permission to make distribution to unsecured creditors

19. The Administrator may distribute to unsecured creditors if he has sufficient funds for the purpose and the distribution is in relation to:
   - the prescribed part only; or
   - where there is a distribution over and above the prescribed part, he does not intend to exit the administration via a CVL.
   He also requires the specific court authority to do so.

20. Ensure therefore that:
   - there are sufficient funds for the purpose of making a distribution
   - exit route is not per para 83 CVL
   - proposals include a proposal to make a distribution to the class of creditor in question and
   - payment of the dividend is consistent with the functions and duties of the administrator and consistent with the proposals
   - court authority to pay the unsecured creditors has been obtained where the distribution is in relation to payments over and above the prescribed part element
DISTRIBUTION TO CREDITORS (INCLUDING THE PRESCRIBED PART)

29. Prepare a certificate of posting and place in the Sederunt File.

Reviewed and agreed
Completed by:

Manager

Date

Appointee

Date
CONCLUDING THE ADMINISTRATION

IP review: dates ........................................ ........................................ ........................................ ........................................

File ref Initials Date

GENERAL

1. Confirm arrangements have been made for transfer/disposal/storage of Company books and records.

2. Ensure that all undertakings given by the Administrator are withdrawn.

3. Confirm that all liabilities of the Company during the Administration, including tax and VAT, have been paid or that provision for settlement has been made. Ensure that any required tax clearance is obtained.

4. Check all insurances are terminated and any premiums repaid where appropriate.

5. Check the files to ensure that there are no outstanding items to be dealt with.

6. Ensure any unclaimed dividends have been consigned to the Accountant of Court, unless the Administration is to be followed by another procedure.

7. Ensure all bank accounts are reconciled and, unless the Administration is to be followed by another procedure, closed.

8. Ensure that a final progress report on the Administration is prepared.

9. Ensure that the exit route to be taken is contained within the approved or revised proposals.

AUTOMATIC ENDING

10. If the Administration has come to an end automatically (ie because its time limit has expired) ensure the following:

   - lodge in Court a Notice of Automatic End of Administration (Form 2.21B (Scot)) within 5 business days of the date when the appointment ceased together with a final progress report
   - send a copy of Form 2.21B (Scot) and the accompanying final progress report to the following as soon as practicable:
     - the Registrar of Companies
     - all persons who received a copy of the Administrator’s proposals
OBJECTIVE SUFFICIENTLY ACHIEVED

11. If the Administrator was appointed by a Qualifying Floating Charge Holder or the Company or its directors and the purpose of the Administration has been sufficiently achieved then he must:

- lodge in Court a Notice of End of Administration (Form 2.23B (Scot)) along with a copy of the final progress report
- send a copy of Form 2.23B (Scot) along with a copy of the final progress report to the Registrar of Companies
- as soon as reasonably practicable and within 5 business days of lodging Form 2.23B (Scot) in Court, send a copy of Form 2.23B (Scot) to every creditor of the Company of whose name and address he is aware to all those persons who were notified of his appointment to the Company.

12. The Administrator is taken to have complied with the requirement to notify creditors if, within 5 business days of lodging Form 2.23B (Scot) with the Court he publishes, once in The Edinburgh Gazette and once in the newspaper in which his appointment was advertised, a notice undertaking to provide a copy of Form 2.23B (Scot) to any creditor of the Company. The published notice must state:

- the full name of the Company
- the name and address of the Administrator
- the date on which the Administrator’s appointment ceased to have effect; and
- an address to which any creditor may apply in writing for a copy of Form 2.23B (Scot)

APPLICATION TO COURT

13. If an application to the Court is to be made to bring an Administration to an end and it is not being made at the request of the creditors, the Administrator must give 5 business days’ notice of his intention to apply to Court to:

- the creditors
- the applicant for the Administration Order under which he was appointed
- the person by whom he was appointed or the holder of the floating charge by virtue of which he was appointed (as the case may be).
14. Where the Administrator is making an application to Court to bring the Administration to an end he must include the following:
   - a progress report for the period since the last report, if any
   - a statement by the Administrator indicating what he thinks the next steps should be for the Company

15. If the Administrator is making the application because the creditors have required it, he must attach to the application a statement indicating, with reasons, whether or not he agrees with the creditors’ requirement.

16. Where the Court has ordered that the appointment shall cease to have effect, the Administrator must file the following documents with the Registrar of Companies:
   - Form 2.24B (Scot)
   - A copy of the Court Order
   - A copy of the final progress report

17. Copy of form 2.24B (Scot), copy of the court order and the final progress report should also be sent to all creditors and all other parties receiving notice of the appointment

**EXIT TO CVL**

18. Confirm that a dividend is payable or expected to be paid to unsecured creditors over and above any dividend payable from the prescribed part.

19. Where the Company is to move from Administration to Creditors’ Voluntary Liquidation, the Administrator must file the following documents with the Registrar of Companies:
   - Form 2.25B (Scot)
   - A final progress report including details of the assets to be dealt with in the liquidation

20. He must also send a copy of the notice and the progress report to all those who received notice of the Administrator’s appointment and to the relevant court.

21. Ensure notice of the conversion to CVL has been registered by the Registrar of Companies. Date of registration is date of cessation of administration and commencement of succeeding liquidation.

22. Where same office holder is appointed as liquidator, ensure procedures relating to a new CVL are commenced. Ensure that Form 600 is sent to the Accountant in Bankruptcy to notify the appointment of liquidator.
CONCLUDING THE ADMINISTRATION

IP review: dates .............. .............. .............. .............. ..............

File ref  Initials  Date

DISSOLUTION
23. When the Company is to move from Administration to dissolution, the Administrator must file the following documents with the Registrar of Companies:
   - Form 2.26B (Scot)
   - A final progress report

24. He must also send a copy of the notice and progress report to all creditors and those who received notice of the Administrator’s appointment:
   - Form 2.27B (Scot) if any order is made by the Court under paragraph 84(7) of Schedule B1 IA

25. Also file copy with Court.

26. Company will be dissolved 3 months after registration of form 2.26B (Scot). Check Registrar of Companies to ensure dissolution.

SCHEME OF ARRANGMENT OR CVA
27. Where objective of Administration is exit via a Scheme or CVA, exit formalities will be dependent on Proposals. Administrator however will likely have to deal with cessation to act or objective sufficiently achieved via application to Court.

CONCLUSION
28. Confirm that the date of closure has been included on the Bordereau.

29. Confirm completion of Statutory Form of Record.

30. Deal with Company’s books and records and store Administrator’s papers and files.

Reviewed and agreed
Completed by:

Manager        Date

Appointee      Date
SIX MONTHLY REVIEW AND ACCOUNTS
(New form to be completed every six months)

Date from: ..................................................  Date to: ..................................................

1. Confirm the adequacy of the specific cover (bond/bordereau)
   Value of assets to be covered:  £……………….
   Level of cover in place at review date:  £……………….
   Increase instructed  £………………..

2. Consider whether the purpose of the administration is still achievable. If not, immediate steps must be taken to end the administration by application to the Court.

3. A progress report must be prepared every 6 months from the date on which the Company entered Administration.

4. The report must be sent, with Form 2.20B (Scot), within 6 weeks of the end of the 6 month period to which it relates to the following:
   - the creditors
   - the Court
   - the Registrar of Companies

   Note: the period of 6 weeks referred to above may be extended by the Court on application by the Administrator.

   The progress report should include:

   - details of the Court where the Administration application was made or where the Notice of Appointment was filed, and the relevant Court reference number
   - full details of the Company's name, address of registered office and registered number
   - full details of the Administrator's name and address, date of appointment and name and address of appointor, including any changes in office-holder, and in the case of Joint Administrators, their functions as set out in the statement made for the purposes of paragraph 100 (2) of Schedule B1 IA
   - details of any extensions to the initial period of appointment
   - details of progress during the period of the report, including a receipts and payments account (as detailed below)
   - details of any assets that remain to be realised
   - a receipts and payments account shall state what assets of the Company have been realised, for what value, and what payments have been made to creditors or others. The account is to be in the form of an abstract showing receipts and payments during the relevant accounting period and where the Administrator has ceased to act, the receipts and payments account shall include a statement as to the amount paid to unsecured creditors by virtue of the application of Section 176A (Prescribed Part) IA
   - where a distribution is to be made in accordance with the Rules in respect of an accounting period, the

File ref  Initials  Date
### ADMINISTRATION - CASE REVIEW

**Six Monthly Review and Accounts**

*New form to be completed every six months*

### Date from: ..................................................  Date to: ..................................................

<table>
<thead>
<tr>
<th>File ref</th>
<th>Initials</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Schedule of Division
- Any other relevant information for the creditors

#### 5. Confirm that funds are on an interest bearing account or that group interest arrangements are in place.

#### 6. Confirm that unrealised assets have been reviewed, follow up action required is noted as follows:

<table>
<thead>
<tr>
<th>Asset</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### 7. Matters brought forward have been reviewed:

<table>
<thead>
<tr>
<th>Matter</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### 8. Confirm that VAT and tax returns are up to date and that payments/repayments have been actioned.

#### 9. Confirm status of preferential claims:

<table>
<thead>
<tr>
<th>Employee claims</th>
<th>Agreed/Paid</th>
<th>Yes/No</th>
</tr>
</thead>
<tbody>
<tr>
<td>RPO claim</td>
<td>Agreed/Paid</td>
<td>Yes/No</td>
</tr>
<tr>
<td>Other preferential claims</td>
<td>Agreed/Paid</td>
<td>Yes/No</td>
</tr>
</tbody>
</table>

#### 10. Confirm status of all other case review forms and work programmes.

#### 11. Confirm that the Sederunt File and statutory Form of Record are up to date.

#### Fees

<table>
<thead>
<tr>
<th>Fees:</th>
<th>Outlays:</th>
</tr>
</thead>
<tbody>
<tr>
<td>£ ...............</td>
<td>..............</td>
</tr>
</tbody>
</table>

---

Version 3.1

Issued June 2015
### SIX MONTHLY REVIEW AND ACCOUNTS
(New form to be completed every six months)

Date from: ..................................................  Date to: ..................................................

<table>
<thead>
<tr>
<th>File ref</th>
<th>Initials</th>
<th>Date</th>
</tr>
</thead>
</table>

13. Confirm compliance with SIP9 (Scotland) re Remuneration of Office Holder and in line with statutory process of approval.

14. Matters carried forward:

Reviewed and agreed
Completed by:

Manager  Date

Appointee  Date
## STATUTORY FORMS

### FORM

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1B</td>
<td>Statement of proposed Administrator</td>
</tr>
<tr>
<td>2.2B</td>
<td>Notice of Petition for Administration Order</td>
</tr>
<tr>
<td>2.3B</td>
<td>Notice of dismissal of Petition for Administration Order</td>
</tr>
<tr>
<td>2.4B</td>
<td>Notice of intention to appoint an Administrator by holder of qualifying</td>
</tr>
<tr>
<td></td>
<td>floating charge</td>
</tr>
<tr>
<td>2.5B</td>
<td>Notice of appointment of an Administrator by holder of qualifying floating</td>
</tr>
<tr>
<td></td>
<td>charge</td>
</tr>
<tr>
<td>2.6B</td>
<td>Notice of appointment of an Administrator by holder of qualifying floating</td>
</tr>
<tr>
<td></td>
<td>charge (where Court is not open for public business)</td>
</tr>
<tr>
<td>2.7B</td>
<td>Notice of appointment of an Administrator by holder of a qualifying</td>
</tr>
<tr>
<td></td>
<td>floating charge</td>
</tr>
<tr>
<td>2.8B</td>
<td>Notice of appointment of an Administrator by company or director(s)</td>
</tr>
<tr>
<td></td>
<td>(where a notice of intention to appoint has been issued)</td>
</tr>
<tr>
<td>2.9B</td>
<td>Notice of appointment of an Administrator by company or director(s)</td>
</tr>
<tr>
<td></td>
<td>(where a notice of intention to appoint has not been issued)</td>
</tr>
<tr>
<td>2.10B</td>
<td>Notification of appointment of Administrator (newspaper or <em>The Edinburgh</em></td>
</tr>
<tr>
<td></td>
<td>Gazette)</td>
</tr>
<tr>
<td>2.11B</td>
<td>Notice of Administrator’s appointment</td>
</tr>
<tr>
<td>2.12B</td>
<td>Notice requiring submission of a Statement of Affairs</td>
</tr>
<tr>
<td>2.13B</td>
<td>Statement of Affairs</td>
</tr>
<tr>
<td>2.14B</td>
<td>Statement of Concurrence</td>
</tr>
<tr>
<td>2.15B</td>
<td>Notice of Statement of Affairs</td>
</tr>
<tr>
<td>2.16B</td>
<td>Statement of Administrator’s proposals</td>
</tr>
<tr>
<td>2.16BZ</td>
<td>Notice of deemed approval of proposals</td>
</tr>
<tr>
<td>2.17B</td>
<td>Statement of Administrator’s revised proposals</td>
</tr>
<tr>
<td>2.18B</td>
<td>Notice of result of meeting of creditors</td>
</tr>
<tr>
<td>2.19B</td>
<td>Notice of order to deal with secured property</td>
</tr>
<tr>
<td>2.20B</td>
<td>Administrator’s progress report</td>
</tr>
<tr>
<td>2.21B</td>
<td>Notice of automatic end of Administration</td>
</tr>
<tr>
<td>2.22B</td>
<td>Notice of extension of period of Administration</td>
</tr>
<tr>
<td>2.23B</td>
<td>Notice of end of Administration</td>
</tr>
<tr>
<td>2.24B</td>
<td>Notice of Court order ending Administration</td>
</tr>
<tr>
<td>2.25B</td>
<td>Notice of move from Administration to Creditors’ Voluntary Liquidation</td>
</tr>
<tr>
<td>2.26B</td>
<td>Notice of move from Administration to dissolution</td>
</tr>
<tr>
<td>2.27B</td>
<td>Notice to Registrar of Companies in respect of date of dissolution</td>
</tr>
<tr>
<td>Form Number</td>
<td>Description</td>
</tr>
<tr>
<td>-------------</td>
<td>-------------</td>
</tr>
<tr>
<td>2.28B (Scot)</td>
<td>Notice of intention to resign as Administrator</td>
</tr>
<tr>
<td>2.29B (Scot)</td>
<td>Notice of resignation by Administrator</td>
</tr>
<tr>
<td>2.30B (Scot)</td>
<td>Notice of vacation of office by Administrator</td>
</tr>
<tr>
<td>2.31B (Scot)</td>
<td>Notice of appointment of replacement / additional Administrator</td>
</tr>
<tr>
<td>2.32B (Scot)</td>
<td>Notice of insufficient property for distribution to unsecured creditors other than by virtue of S176A (2) (a)</td>
</tr>
</tbody>
</table>