

SCHEDULE 1

MINOR AND CONSEQUENTIAL AMENDMENTS OF THE 1985 ACT

- 60 (1) Section 73 (interpretation) is amended as follows.
- (2) In subsection (1)—
- (a) after the definition of “associate”, insert—
 - ““bankruptcy restrictions order” has the meaning given by section 56A(1) of this Act;
 - ““bankruptcy restrictions undertaking” has the meaning given by section 56G(1) of this Act;”;
 - (b) after the definition of “debtor”, insert—
 - ““debtor application” means an application for sequestration made to the Accountant in Bankruptcy under sections 5(2)(a) or 6(3)(a), (4)(a) or (6)(a) of this Act;”;
 - (c) after the definition of “the EC regulation”, insert—
 - ““enactment” includes an Act of the Scottish Parliament and any enactment comprised in subordinate legislation under such an Act;”;
 - (d) in the definition of “interim trustee”, for “2” substitute “2(5)”;
 - (e) after the definition of “ordinary debt”, insert—
 - ““original trustee” shall be construed in accordance with section 24(1)(a) of this Act;”;
 - (f) after the definition of “relevant person”, insert—
 - ““replacement trustee” shall be construed in accordance with section 24(1)(b) of this Act;”;
 - (g) after the definition of “sederunt book”, insert—
 - ““sequestration proceedings” includes a debtor application and analogous expressions shall be construed accordingly;”;
 - (h) after the definition of “trust deed”, insert—
 - ““trustee” means trustee in the sequestration;
 - ““trustee vote” shall be construed in accordance with section 24(1) of this Act;”.
- (3) In subsection (5)(b), for “such a petition” substitute “a debtor application”.
- (4) In subsection (6), for “clerk of the court” substitute “sheriff clerk”.
- (5) After subsection (6), insert—
 - “(6A) Any reference in this Act, howsoever expressed, to the time when a debtor application is made shall be construed as a reference to the time when the application is received by the Accountant in Bankruptcy.”.