

Status: This is the original version (as it was originally enacted).

SCHEDULE 2

(introduced by section 23(4))

INFORMATION TO BE INCLUDED IN THE SEDERUNT BOOK

This is the Schedule that is to be inserted as Schedule 3A to the 1985 Act—

“SCHEDULE 3A

(introduced by section 62(2A))

INFORMATION TO BE INCLUDED IN THE SEDERUNT BOOK

- 1 A copy of a debtor application made under section 5(2)(a).
- 2 A copy of a petition presented under section 5(2)(b).
- 3 Where the trustee is the Accountant in Bankruptcy, a copy of a statement of assets and liabilities sent to the Accountant in Bankruptcy in accordance with section 5(6A).
- 4 A copy of an award of sequestration granted under section 12(1) or (3).
- 5 A copy of a warrant to cite the debtor granted under section 12(2).
- 6 Where the trustee is not the Accountant in Bankruptcy—
 - (a) the audited accounts sent to the trustee by the Accountant in Bankruptcy in accordance with section 13A(5)(d), and
 - (b) the determination fixing the amount of the outlays and remuneration payable to the interim trustee sent to the trustee by the Accountant in Bankruptcy in accordance with section 13A(5)(d).
- 7 Where the trustee is the Accountant in Bankruptcy—
 - (a) the accounts audited by the Accountant in Bankruptcy in accordance with section 13A(5)(a), and
 - (b) the determination fixing the amount of the outlays and remuneration payable to the interim trustee issued in accordance with section 13A(5)(b).
- 8 Where the Accountant in Bankruptcy is appointed as interim trustee and the sheriff awards sequestration in accordance with section 13B(1)(a)—
 - (a) the accounts of the Accountant in Bankruptcy’s intromissions (if any) with the debtor’s estate; and
 - (b) the determination of the Accountant in Bankruptcy’s fees and outlays calculated in accordance with regulations made under section 69A.
- 9 A copy of any—
 - (a) order recalling or refusing to recall an award of sequestration by the sheriff under section 17 and sent to the trustee under section 17(8)(b)(ii),
 - (b) grant or refusal to grant a recall of an award of sequestration under section 17D(1), 17E(6) or 17G.
- 10 A copy of any order under section 41(1)(b)(ii) or 41A(1)(b)(ii) sent to the trustee under section 17(8)(b).
- 11 Where the trustee is a replacement trustee appointed under section 25 and the Accountant in Bankruptcy was not the original trustee—

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- (a) a copy of any determination fixing the amount of the outlays and remuneration payable to the original trustee and of the original trustee's audited accounts which is sent to the trustee under section 26(3)(b)(ii),
 - (b) upon appointment, such information as is appropriate to provide a record of the sequestration process before the trustee's appointment as replacement trustee (except that no entry is to be made in relation to any written comments made by the original trustee under section 20(2)), and
 - (c) an entry recording any certificate of discharge issued to the original trustee under section 27.
- 12 Where the trustee is not the Accountant in Bankruptcy, a copy of a statement of assets and liabilities sent to the trustee under section 19(1) or (2).
- 13 A copy of a notice given under section 21A(2).
- 14 Where the trustee is not the Accountant in Bankruptcy, a copy of a report made under section 21B(1)(a).
- 15 Where the trustee is a replacement trustee appointed under section 25 and the Accountant in Bankruptcy was the original trustee, upon appointment, such information as is appropriate to provide a record of the sequestration process before the trustee's appointment as replacement trustee.
- 16 A copy of any initial proposal for the debtor's contribution provided by the trustee under section 32A(1)(b).
- 17 A copy of a debtor contribution order applying to the debtor.
- 18 A copy of any decree issued under section 34 affecting the sequestrated estate.
- 19 A copy of any decree of recall issued following an application under section 35(2).
- 20 A copy of any decree issued under section 36 affecting the sequestrated estate.
- 21 The inventory and valuation of the estate made up and maintained in accordance with section 38(1)(b).
- 22 A copy of an account given by the debtor under section 43A(2).
- 23 The debtor's deposition at an examination subscribed under section 47(5).
- 24 A copy of the record of an examination sent to the Accountant in Bankruptcy under section 47(6).
- 25 An appropriate entry in relation to the production of any document to the trustee in accordance with section 48(7), stating the date when it was produced to the trustee.
- 26 Where the trustee accepts or rejects a claim under section 49, the decision on the claim, specifying—
- (a) the amount of the claim accepted by the trustee,
 - (b) the category of debt, and the value of any security, as decided by the trustee, and
 - (c) if the claim is rejected, the reasons.
- 27 A copy of a decision of the Accountant in Bankruptcy under section 49(6C)(b) and of the sheriff under section 49(6D).
- 28 An agreement or determination in respect of the accounting period under section 52(2)(b)(i) or (ii).

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- 29 Where the trustee is not the Accountant in Bankruptcy, the audited accounts, the scheme of division and the final determination in relation to the trustee's outlays and remuneration, as mentioned in section 53.
- 30 A copy the certificate of discharge given to the debtor under section 54(2) or 54A(2) or 54F.
- 31 A copy the certificate deferring discharge where the debtor cannot be traced issued under section 54D(4)(b) or (6)(b).
- 32 Where the Accountant in Bankruptcy has acted as trustee, after making the final division of the debtor's estate—
- (a) the Accountant in Bankruptcy's final accounts of the Accountant in Bankruptcy's intromissions (if any) with the debtor's estate,
 - (b) the scheme of division (if any), and
 - (c) a determination of the Accountant in Bankruptcy's fees and outlays calculated in accordance with regulations made under section 69A.
- 33 Where the Accountant in Bankruptcy has acted as trustee and is discharged from all liability as mentioned in section 58A(7), an appropriate entry in relation to such discharge.
- 34 A decision of the court under section 63 and of the Accountant in Bankruptcy under section 63A.
- 35 A copy of a decree arbitral or, as the case may be, an appropriate entry recording the compromise referred to in section 65.
- 36 The minutes of the meeting mentioned in paragraph 7 of Schedule 6.
- 37 A copy of the minutes of any meeting sent to the Accountant in Bankruptcy in accordance with paragraph 16 of Schedule 6.
- 38 Where a meeting of commissioners is called in accordance with paragraph 17 of Schedule 6—
- (a) a record of the deliberations of the commissioners at the meeting,
 - (b) where the trustee is not clerk in accordance with paragraph 21 of Schedule 6, a record of the deliberations of the commissioners transmitted by the commissioner acting as clerk, such commissioner to authenticate the insertion when made, and
 - (c) in relation to any matter agreed without a meeting, the minute recording that agreement signed in accordance with paragraph 23 of Schedule 6.”.
- 39 A copy of any decision (including any determination, direction, award, acceptance, rejection, adjudication, requirement, declaration, order or valuation) relating to the sequestration which is—
- (a) issued by the Accountant in Bankruptcy, and
 - (b) not otherwise mentioned in this Schedule.
- 40 A copy of any decree, interlocutory decree, direction or order relating to the sequestration which is—
- (a) granted by the court, and
 - (b) not otherwise mentioned in this Schedule.”.