



# Bankruptcy (Scotland) Act 2016

## 2016 asp 21

### PART 10

#### CLAIMS, DIVIDENDS AND DISTRIBUTION ETC.

##### *Submission and adjudication of claims*

#### **127 Adjudication of claims: review and appeal**

- (1) The debtor or any creditor may apply to AiB for a review of—
  - (a) the acceptance or rejection of any claim, or
  - (b) a decision in respect of any matter requiring to be specified under section 126(7)(a) or (b).
- (2) The debtor may make an application under subsection (1) only if the debtor satisfies AiB that the debtor has, or is likely to have, a pecuniary interest in the outcome of the review.
- (3) Any application under subsection (1) must be made, in the case of a review relating to an acceptance or rejection—
  - (a) under subsection (1) of section 126, within 14 days beginning with the day of the decision to accept or reject the claim, and
  - (b) under subsection (3) of that section, within 28 days beginning with that day.
- (4) If an application under subsection (1) is made, AiB must—
  - (a) take into account any representations made by an interested party within 21 days beginning with the day on which the application is made, and
  - (b) confirm, amend or revoke the decision within 28 days beginning with that day.
- (5) The debtor or any creditor may, within 14 days beginning with the day of a decision by AiB under subsection (4)(b), appeal to the sheriff against that decision.
- (6) The debtor may appeal under subsection (5) only if the debtor satisfies the sheriff that the debtor has, or is likely to have, a pecuniary interest in the outcome of the appeal.