



# Bankruptcy (Scotland) Act 2016

## 2016 asp 21

### PART 14

#### VOLUNTARY TRUST DEEDS FOR CREDITORS

##### *Conditions for protected status*

#### **164 Protected status: the debtor**

- (1) The debtor must be—
  - (a) a living individual who,
  - (b) a partnership which,
  - (c) a limited partnership (within the meaning of the Limited Partnerships Act 1907) which,
  - (d) a trust which,
  - (e) a corporate body which, or
  - (f) an unincorporated body which,grants a trust deed for a single estate.
- (2) The debtor must not be—
  - (a) a debtor whose estate has been sequestrated if the trustee in the sequestration has not been discharged under section 148 or 151, or
  - (b) an entity referred to in section 6(2).
- (3) The total amount of the debtor's debts (including interest) as at the date on which the debtor grants the trust deed must be not less than £5,000.