



# Bankruptcy (Scotland) Act 2016

## 2016 asp 21

### PART 14 **S**

#### VOLUNTARY TRUST DEEDS FOR CREDITORS

##### *Administration, accounting and discharge*

#### **179** Directions to trustee under protected trust deed **S**

- (1) AiB may give directions to the trustee under a protected trust deed as to how the trustee should conduct the administration of the trust.
- (2) On a direction being issued by virtue of subsection (1) its terms must be intimated to the debtor and to all known creditors.
- (3) The direction may be issued on the initiative of AiB or (at AiB's discretion) on the request of the trustee, the debtor or any creditor.
- (4) The trustee must, unless subsection (5) applies, comply with the direction within 30 days beginning with the day on which the direction is given.
- (5) Where the trustee has appealed under section 188(1)(c) and the appeal has been dismissed by the sheriff or withdrawn by the trustee, the trustee must comply with the direction within 30 days beginning with the day of dismissal or withdrawal.
- (6) If it appears to AiB that the trustee has failed, without reasonable excuse, to comply with the direction, AiB may report the matter to the sheriff who, after hearing the trustee on the matter, may—
  - (a) censure the trustee, or
  - (b) make such other order as the circumstances of the case require.

#### **Commencement Information**

**11** S. 179 in force at 30.11.2016 by S.S.I. 2016/294, reg. 2

**Changes to legislation:**

Bankruptcy (Scotland) Act 2016, Section 179 is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 78(2)(a) words in s. 78(2) renumbered as s. 78(2)(a) by [2019 asp 4 s. 7\(2\)\(a\)](#)
- s. 78(2)(b) and word inserted by [2019 asp 4 s. 7\(2\)\(b\)](#)