



Bankruptcy (Scotland) Act 2016

2016 asp 21

PART 15

MORATORIUM ON DILIGENCE

195 Moratorium on diligence: notice of intention to make debtor application under section 2(1)(a)

- (1) A person may give written notice to AiB of the person's intention—
 - (a) to make a debtor application under section 2(1)(a),
 - (b) to seek to fulfil the conditions required in order for a trust deed granted by or on behalf of that person to be granted the status of protected trust deed, or
 - (c) to apply for the approval of a debt payment programme in accordance with section 2 of the 2002 Act.
- (2) A person may not give notice under subsection (1) if that person has given such notice in the immediately preceding 12 months.
- (3) AiB must, without delay after receipt of a notice under subsection (1), enter in the registers mentioned in subsection (4)—
 - (a) the name of the person who gave the notice, and
 - (b) such other information as AiB considers appropriate in relation to that person.
- (4) The registers are—
 - (a) the register of insolvencies, and
 - (b) the register of debt payment programmes (in this Part referred to as the “DAS register”) established and maintained in accordance with section 7 of the 2002 Act.