



Bankruptcy (Scotland) Act 2016

2016 asp 21

PART 4

TRUSTEES AND COMMISSIONERS

Interim trustees

59 Review or appeal by virtue of section 58

- (1) The debtor, the petitioner or any creditor may apply to AiB for a review of the discharge of AiB in respect of AiB's actings as interim trustee.
- (2) Any application under subsection (1) must be made within 14 days beginning with the day on which notice is sent under section 58(4)(a)(iii) or (b).
- (3) If an application for a review under subsection (1) is made, AiB must—
 - (a) take into account any representations made, within 21 days beginning with the day on which the application is made, by an interested person, and
 - (b) confirm or revoke the discharge within 28 days beginning with that day.
- (4) The debtor, the petitioner or any creditor may appeal to the sheriff within 14 days beginning with—
 - (a) the day on which notice is sent under section 58(4)(a)(iii) or (b), against the determination mentioned in section 58(4)(a)(ii), or
 - (b) the day of a decision by AiB under subsection (3)(b), against that decision.
- (5) The sheriff clerk must, following an appeal under subsection (4), send a copy of the decree to AiB.
- (6) The decision of the sheriff on an appeal under subsection (4) is final.