

SCHEDULE 5

(introduced by section 210(3))

INFORMATION TO BE INCLUDED IN THE SEDERUNT BOOK

- 1 A copy of the debtor application made under section 2(1)(a).
- 2 A copy of the petition presented under section 2(1)(b).
- 3 Where the trustee is AiB, a copy of the statement of assets and liabilities sent to AiB in accordance with section 8(3)(a).
- 4 A copy of the award of sequestration under section 22(1) or (5).
- 5 A copy of the warrant to cite the debtor granted under section 22(3).
- 6 Where the trustee is not AiB—
 - (a) the audited accounts sent to the trustee by AiB in accordance with section 56(5)(d), and
 - (b) the determination fixing the amount of the outlays and remuneration payable to the interim trustee sent to the trustee by AiB in accordance with that section.
- 7 Where the trustee is AiB—
 - (a) the accounts audited by AiB in accordance with section 56(5)(a), and
 - (b) the determination, issued in accordance with section 56(5)(b), fixing the amount of the outlays and remuneration payable to the interim trustee.
- 8 Where AiB is appointed interim trustee and the sheriff awards sequestration in accordance with section 58(1)(a)—
 - (a) the accounts of AiB's intromissions (if any) with the debtor's estate, and
 - (b) the determination of AiB's fees and outlays calculated in accordance with regulations under section 205.
- 9 A copy of—
 - (a) an order—
 - (i) recalling or refusing to recall an award of sequestration by the sheriff under section 30, and
 - (ii) sent to the trustee under subsection (9)(b)(ii) of that section, or
 - (b) a grant of (or a refusal to grant), under section 34(1), 35(6) or 37, recall of an award of sequestration.
- 10 A copy of an order under section 114(3)(b) or 115(3)(b) sent to the trustee under section 30(9)(b).
- 11 Where the trustee is a replacement trustee appointed under section 60—
 - (a) a copy of the audited accounts, and determination, sent under section 63(5)(c)(ii),
 - (b) on that appointment, such information as is appropriate to provide a record of the sequestration process before that appointment (except that no entry is to be made in relation to any written comments made by the original trustee under section 42(3)(c)), and
 - (c) an entry recording a certificate of discharge issued to the original trustee under section 65.
- 12 Where the trustee is not AiB, a copy of a statement of assets and liabilities sent to the trustee under section 41(1) or (2).

Status: This is the original version (as it was originally enacted).

- 13 A copy of a notice given under section 44(3).
- 14 Where the trustee is not AiB, a copy of a report made under section 45(1).
- 15 Where the trustee is a replacement trustee appointed under section 60 and AiB was the original trustee, on that appointment, such information as is appropriate to provide a record of the sequestration process before that appointment.
- 16 A copy of an initial proposal for the debtor's contribution provided by the trustee under section 90(1)(b).
- 17 A copy of a debtor contribution order applying to the debtor.
- 18 A copy of a decree issued under section 98 affecting the sequestrated estate.
- 19 A copy of a decree of recall issued following an application under section 100(2).
- 20 A copy of a decree under section 99 affecting the sequestrated estate.
- 21 The inventory and valuation of the estate, made up and maintained in accordance with section 108(1)(b).
- 22 A copy of an account given by the debtor under section 116(2).
- 23 The debtor's deposition at an examination subscribed under section 121(6).
- 24 A copy of the record of an examination sent to AiB under section 121(7).
- 25 An appropriate entry in relation to the production of any document to the trustee in accordance with section 125(2), stating the date when it was produced to the trustee.
- 26 Where the trustee accepts or rejects a claim under section 126, the decision on the claim, specifying—
- (a) the amount of the claim accepted by the trustee,
 - (b) the category of debt, and the value of any security, as decided by the trustee, and
 - (c) if the claim is rejected, the reason.
- 27 A copy of a decision of AiB under subsection (4)(b) of section 127 and of the sheriff under subsection (5) of that section.
- 28 An agreement or determination in respect of the accounting period under section 130(3)(b)(i) or (ii).
- 29 Where the trustee is not AiB, the audited accounts, the scheme of division and the final determination in relation to the trustee's outlays and remuneration as mentioned in section 136.
- 30 A copy of the certificate of discharge given to the debtor under section 137(2), 138(2) or 143(5).
- 31 A copy of the certificate deferring discharge where the debtor cannot be traced issued under section 141(4)(b) or (6)(b).
- 32 Where AiB has acted as trustee, after making the final division of the debtor's estate—
- (a) AiB's final accounts of AiB's intromissions (if any) with the debtor's estate,
 - (b) the scheme of division (if any), and
 - (c) a determination of AiB's fees and outlays calculated in accordance with regulations under section 205.

- 33 Where AiB has acted as trustee and is discharged from all liability as mentioned in section 151(10), an appropriate entry in relation to such discharge.
- 34 A decision of the court under section 211 and of AiB under section 212.
- 35 A copy of a decree arbitral or, as the case may be, an appropriate entry recording the compromise referred to in section 216(1)(b).
- 36 The minutes of the meeting referred to in paragraphs 8 to 10 of schedule 6.
- 37 A copy of the minutes of a meeting sent to AiB in accordance with paragraph 25 of that schedule.
- 38 Where a meeting of commissioners is called in accordance with paragraph 26 of that schedule—
- (a) a record of the deliberations of the commissioners at the meeting,
 - (b) where the trustee is not clerk in accordance with paragraph 30 of that schedule, a record of the deliberations of the commissioners transmitted by the commissioner acting as clerk (such commissioner to authenticate the insertion when made), and
 - (c) in relation to any matter agreed without a meeting, the minute recording that agreement signed in accordance with paragraph 32(b) of that schedule.
- 39 A copy of any decision (including any determination, direction, award, acceptance, rejection, adjudication, requirement, declaration, order or valuation) relating to the sequestration which is—
- (a) issued by AiB, and
 - (b) not otherwise mentioned in this schedule.
- 40 A copy of any decree, interlocutory decree, direction or order relating to the sequestration which is—
- (a) granted by the court, and
 - (b) not otherwise mentioned in this schedule.