

SCHEDULE

Regulations 2(2)(a), 5, 10(1),11(1), 13(1),
17(1) and (2) and 21(1)

Forms

List of forms to be used

<i>Form</i>	<i>Purpose</i>	<i>Relevant provision of the Regulations</i>
1	Application to the Accountant in Bankruptcy: general	Regulation 5
2	Application for direction under section 52(2)	Regulation 10(1)
3	Application for review by the Accountant in Bankruptcy: general	Regulation 21(1)
4	Report of statutory meeting appointing replacement trustee: section 60(2)(a)	Regulation 11(1)
5	Grant of removal of trustee: section 70(1)(b)	Regulation 13(1)
6	Conversion of protected trust deed into bankruptcy: section 190 application	Regulation 17(1)
7	Conversion of protected trust deed into bankruptcy: section 192 award	Regulation 17(2)

Status: This is the original version (as it was originally made).

FORM 1

Application to the Accountant in Bankruptcy: general

Internal Only:

Bankruptcy Ref:

Date Received:

Application to the Accountant in Bankruptcy: general
Bankruptcy (Scotland) Act 2016

Reason for Application:
(Please state the nature
of your application)

Section of the Act you are applying under:
(Please provide the appropriate section of the
Act you are applying under)

Debtor's name:
(Please provide full details)

Debtor's address at date of bankruptcy award:

Bankruptcy reference number:

Name of Applicant:
(Please provide full name and title
of person submitting the application)

Designation:
(e.g debtor, creditor, trustee, other)

List of relevant parties notified of this application:
(please include details of their association with the bankruptcy)

Date notification issued to relevant parties:
(where appropriate)

Status: This is the original version (as it was originally made).

STATEMENT OF FACTS
(here set out, in numbered paragraphs, the facts on which the application is made)

PLEA(S) IN LAW
(where applicable, set out the plea(s) in law)

Date (insert date of application)

Signed
(signature of applicant)
*or solicitor for applicant
(insert designation and address)

Status: This is the original version (as it was originally made).

FORM 2

Application for direction under section 52(2)

Internal Only:

Case Ref:

Date Received:

Application for Direction
The Bankruptcy (Scotland) Act 2016
Section 52

Application by:
(insert name and designation of applicant)

	Name of Applicant
	Address
	Town
	Postcode

In the Bankruptcy of:
(insert name and address of debtor)

	Debtor's full name
	Bankruptcy Reference

The applicant craves the Accountant in Bankruptcy:
(state here orders sought in respect of application)

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

Internal Only:

Case Ref:

Date Received:

STATEMENT OF FACTS

(here set out, in numbered paragraphs, the facts on which the application is made)

PLEA(S) IN LAW

(here set out the plea(s) in law)

Date (insert date of application)

Signed
(Signature of applicant)
*or Solicitor for Applicant
(insert designation and address)

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

FORM 3

Application for review by the Accountant in Bankruptcy: general

Internal Only: Case Ref: Date Received:
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Application for Review by the Accountant in Bankruptcy
Bankruptcy (Scotland) Act 2016

By submitting this application, you are acknowledging that this document will be shared with all parties involved in the review process.

Bankruptcy reference: Name of debtor: Address of debtor:
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Name of applicant requesting review: Address of applicant: (This address will be used for correspondence unless otherwise stated) Association with bankruptcy: (e.g debtor, creditor, trustee, other)

Section of the Act you are applying for a review under: Decision to be reviewed: (Please specify the decision you wish to be reviewed and where possible submit a copy of the decision)

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

Internal Only:

Case Ref:

Date Received:

Evidence in support of the application:

(Please use this section to state the reason you are seeking a review providing as much information as possible)

If required please continue on a separate sheet

Signed:

Date:

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

Internal Only: Case Ref: Date Received:
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Official Use Only:

FORM 4

Report of statutory meeting appointing replacement trustee: section 60(2)(a)

(bankruptcy ref)

Form of Report to the Accountant in Bankruptcy
The Bankruptcy (Scotland) Act 2016
Section 60

Report of the statutory meeting: appointment of replacement trustee in the bankruptcy of (debtor's name and address)

- i. (insert trustee name and address), as trustee in the above bankruptcy reports to the Accountant in Bankruptcy that a statutory meeting was called in accordance with the provisions of section 44 of the Bankruptcy (Scotland) Act 2016.
- ii. The meeting was attended by (insert number of creditors in attendance) creditors or their representatives. Those in attendance were advised of their right to elect a trustee and commissioners.
- iii. The meeting duly elected (insert the name of the replacement trustee) to be the replacement trustee.
- iv. A copy of the record of the meeting and of the trustee's statement of the debtor's affairs are attached.

Signature of trustee _____ Date _____

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

FORM 5

Grant of removal of trustee: section 70(1)(b)

bankruptcy ref



Order for the Removal of Trustee
Bankruptcy (Scotland) Act 2016
Section 70(1)(b)

The Accountant in Bankruptcy, [having seen and considered an application under section 70(2)(a) of the Bankruptcy (Scotland) Act 2016 grants same, and in terms of that application/ being satisfied in terms of section 70(2)(b) of the Bankruptcy (Scotland) Act 2016 that there are reasons to remove the Trustee]* finds and declares that the Trustee is removed and the office of the Trustee in respect of the sequestration of

[Debtor name]
[address]
[town]
[postcode]

awarded by **[The Accountant in Bankruptcy/the Sheriff at [court] Sheriff Court]** on **[date]** has become vacant.

A meeting of creditors must be held for the election by them of a new trustee.

Issued by The Accountant in Bankruptcy
[dd/mm/yyyy]

* Delete as appropriate

FORM 6

Conversion of protected trust deed into bankruptcy: section 190 application

(protected trust deed ref)

**Application for Conversion of a Protected Trust Deed
into Bankruptcy**
Bankruptcy (Scotland) Act 2016
Section 190

Name and address of applicant:
(You must qualify as a Member
State Liquidator)

Name and address of person in the protected
trust deed :

Name and address of Insolvency Practitioner
currently administering the protected trust deed:

*Do you wish to nominate a trustee if the application is converted to bankruptcy?	Yes / No (*please delete as appropriate)
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(If yes, please provide nomination details below. If no trustee nominated, AIB will be appointed as trustee in the bankruptcy)

Trustee Name:

Trustee Address:

I consent to my appointment as Trustee

Signature of nominate trustee _____ Date _____
(Insolvency Practitioner)

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

(protected trust deed ref)

I apply under Article 37 of the EC Regulation (conversion of earlier proceedings) for the conversion of a protected trust deed into bankruptcy;
I have, therefore, enclosed a signed and sworn affidavit in accordance with section 191 of the Act.

I confirm I have served the affidavit upon:
(Please tick the box where appropriate)

(a) the debtor	<input type="checkbox"/>
(b) the trustee	<input type="checkbox"/>
(c) all other relevant parties	<input type="checkbox"/>

Signature of applicant _____ Date _____

Evidence in support of your application

(protected trust deed ref)

Evidence in support of your application (continued)

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

FORM 7

Conversion of protected trust deed into bankruptcy: section 192 award

(bankruptcy ref)



Award of bankruptcy
Bankruptcy (Scotland) Act 2016
Section 192

Deliverance awarding the bankruptcy of

[debtor name]
[address]
[town]
[postcode]

with the concurrence of a necessary Member State Liquidator.

On **[date]** The Accountant in Bankruptcy has considered the foregoing application together with the productions and being satisfied that the application has been presented in accordance with the Bankruptcy (Scotland) Act 2016 converts the estate now belonging or which shall hereafter belong to the debtor from a protected trust deed into bankruptcy.

[debtor name, address]

before the date of the debtor's discharge and declares the same to belong to the debtor's creditors for the purposes of the said Act and appoints

[trustee name and address]

to be trustee. The whole estate of **[debtor name]** at **[date]** is vested and now belongs to said trustee for the benefit of creditors of **[debtor name]**

Intimated to the Keeper

Accountant in Bankruptcy

AiB to send forthwith a copy to:

Certified a true copy

The Keeper of the Registers of
Inhibitions and Adjudications
and
The trustee (if not the
Accountant in Bankruptcy)