
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 143

The Protected Trust Deeds (Scotland) Regulations 2008

Documents to be sent to creditors

8. Not later than 7 days after the date of publication of the notice referred to in regulation 7, the trustee must send to every creditor known to the trustee—

- (a) a copy of the trust deed;
- (b) a copy of that notice;
- (c) a statement of the debtor's affairs, prepared by the trustee, containing—
 - (i) a list of the debtor's assets and liabilities;
 - (ii) a list of the income and expenditure as at the date when the trust deed was granted;
 - (iii) a statement as to the extent to which those assets and income will not vest in the trustee;
 - (iv) a statement as to any contribution from income which the debtor is expected to make;
 - (v) a statement whether, and on what basis, the EC Regulation applies or does not apply to the trust deed and, if it applies, whether the proceedings are main proceedings or territorial proceedings;
 - (vi) a statement by the trustee whether, on the basis of the information then available, the creditors are likely to be paid a dividend;
 - (vii) a statement that the trustee on request must provide a copy of—
 - (aa) any valuation held by the trustee which has been made by a third party and which relates to an asset of the debtor;
 - (bb) any statement showing the amount due by the debtor under a security; and
 - (cc) any document showing the present income of the debtor; and
 - (viii) a statement explaining—
 - (aa) the conditions which require to be fulfilled before the trust deed will become a protected trust deed; and
 - (bb) the consequences of the deed becoming a protected trust deed; and
- (d) a copy of Form 2 as set out in Schedule 1 to these Regulations for the creditor to make a statement of claim.