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SCOTTISH STATUTORY INSTRUMENTS

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**2010 No. 398**

**The Protected Trust Deeds (Scotland)  
Amendment Regulations 2010**

**Amendment of the Protected Trust Deeds (Scotland) Regulations 2008**

**8.** In regulation 11 (effect of protected status), after paragraph (2) insert—

“(3) Where a secured creditor has consented to be excluded from a trust deed in terms of regulation 5A(c) and the trust deed becomes protected, that creditor is not entitled—

- (a) to make a claim under the protected trust deed in respect of any of the debt in respect of which the security is held;
- (b) to do diligence against the assets conveyed to the trustee under the protected trust deed; nor
- (c) to petition for the sequestration of the debtor during the subsistence of the protected trust deed.”.