
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 261

**The Bankruptcy and Debt Advice (Scotland) Act 2014
(Commencement No. 2, Savings and Transitionals) Order 2014**

Savings and transitional arrangements

Review of decisions by Accountant in Bankruptcy

10.—(1) The amendments in sections 38 to 42 of the Act (review of decisions by the Accountant in Bankruptcy) relevant to review by the Accountant in Bankruptcy of the following decisions of the Accountant in Bankruptcy do not apply—

- (a) to a determination notified before 1st April 2015 under section 13A(10)(b) (certificate of interim trustee discharge), or where notice is sent before that date under section 13B(4)(a)(iii) or (b) (discharge of Accountant in Bankruptcy as interim trustee), of the 1985 Act(1),
- (b) to a direction given under section 18(1) (direction for interim preservation of estate) of the 1985 Act(2) before 1st April 2015,
- (c) to a refusal to award sequestration under section 15(3A) (debtor application) of the 1985 Act(3) before 1st April 2015,
- (d) where notice is sent before 1st April 2015 under section 26A(3) (discharge of Accountant in Bankruptcy as trustee) of the 1985 Act(4),
- (e) to a determination notified before 1st April 2015 under section 27(3)(b) (certificate of original trustee's discharge) of the 1985 Act(5),
- (f) to claims accepted or rejected in a list sent before 1st April 2015, or notification given before that date, under section 49(2A) or (4) respectively (adjudication of claims) of the 1985 Act(6), or
- (g) to a determination notified before 1st April 2015 under section 57(3)(b) (certificate of trustee discharge), or where notice is sent before that date under section 58A(4)(b) (discharge of Accountant in Bankruptcy as trustee), of the 1985 Act(7).

(2) Sections 38 to 42 of the Act do not apply to any decision by the Accountant in Bankruptcy which is subject to court proceedings by way of appeal or review before 1st April 2015.

(1) Sections 13A and 13B are amended by section 38(1) and (2) of the Act.
(2) Section 18 is amended by section 38(3) of the Act.
(3) Section 15(3A) was inserted by the 2007 Act, schedule 1, paragraph 13, and is substituted by section 39 of the Act.
(4) Section 26A(3) was inserted by the Bankruptcy (Scotland) Act 1993 (c.6) ("the 1993 Act") and amended by the 2007 Act, schedule 1, paragraph 26(4). Section 26A is amended by section 40(1) of the Act.
(5) Section 27(3)(b) was amended by the 2007 Act, schedule 1, paragraph 27(1). Section 27 is amended by section 40(2) of the Act.
(6) Section 49(2A) was inserted by the 2007 Act, section 8(3). Section 49(4) was amended by the 2007 Act, schedule 6. Section 49 is amended by section 41 of the Act.
(7) Section 58A(4)(b) was inserted by the 1993 Act, Schedule 1, paragraph 25 and amended by the 2007 Act, schedule 6. Sections 57 and 58A are amended by section 42 of the Act.