

SCHEDULE 2

Rule 1.4(2)

FORMS FOR USE IN REGISTER OF INHIBITIONS

**Interpretation**

1. References in this schedule to forms are to the forms in the appendix to the schedule.

**Forms**

2.—(1) A memorandum to the Keeper of the Register of Inhibitions under section 26(6) of the 2016 Act (registration of warrant etc. – renewal of effect – trustee not discharged) is to be in Form A.

(2) A memorandum to the Keeper of the Register of Inhibitions under section 26(8) of the 2016 Act (registration of warrant etc. – renewal of effect – newly identified estate) is to be in Form B.

(3) A notice under paragraph 3(1) of schedule 4 of the 2016 Act (notice of trust deed) is to be in Form C.

(4) A notice under paragraph 3(3) of schedule 4 of the 2016 Act (recall of notice of trust deed) is to be in Form D.

**APPENDIX**

Form A

**Form of memorandum by trustee under section 26(6) of the Bankruptcy (Scotland) Act 2016**

From: [A.B.] (*designation and address*), trustee in the sequestration of [C.D.] (*designation and address of debtor*)

To: The Keeper of the Register of Inhibitions

A certified copy of the court order of (*date*) awarding sequestration in respect of (*name and address of debtor*) was recorded in your Register on (*date*).

Record this memorandum to renew the effect mentioned in section 26(3) of the Bankruptcy (Scotland) Act 2016 for a further period of 3 years.

(*Date*)

(Signed)

[A.B.], Trustee

[or [X.Y.], Solicitor for Trustee

(*insert business address of solicitor*)]

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

## Form B

### **Form of memorandum by trustee under section 26(8) of the Bankruptcy (Scotland) Act 2016**

From: [A.B.] (*designation and address*), trustee in the sequestration of [C.D.] (*designation and address of debtor*)

To: The Keeper of the Register of Inhibitions

A certified copy of the court order of (*date*) awarding sequestration in respect of [C.D.] (*designation and address of debtor*) was recorded in your Register on (*date*).

On (*date*), I was appointed [*or* reappointed] as trustee on the estate of [C.D.] under section 152(3) of the Bankruptcy (Scotland) Act 2016.

The Accountant in Bankruptcy gave notice in accordance with section 153(1) on (*date*).

Record this memorandum to impose the effect mentioned in section 26(3) of the Bankruptcy (Scotland) Act 2016 for a period of 3 years from the date of that notice.

(*Date*)

(Signed)

[A.B.], Trustee

[*or* [X.Y.], Solicitor for Trustee

(*insert business address of solicitor*)]

## Form C

### **Form of notice of inhibition by trustee under paragraph 3(1) of schedule 4 to the Bankruptcy (Scotland) Act 2016**

A trust deed within the meaning of Part 14 of the Bankruptcy (Scotland) Act 2016 has been granted by [A.B.] (*designation and address*).

It has been delivered to [C.D.] (*designation and address*) as trustee under the trust deed.

Under the trust deed, the estate of [A.B.] has been conveyed to [C.D.] as trustee for the benefit of the creditors generally of [A.B.].

(*Date*)

(Signed)

[C.D.], Trustee

[*or* [X.Y.], Solicitor for Trustee

(*insert business address of solicitor*)]

## Form D

### **Form of notice of recall of inhibition by trustee under paragraph 3(3) of schedule 4 of the Bankruptcy (Scotland) Act 2016**

A trust deed within the meaning of Part 14 of the Bankruptcy (Scotland) Act 2016 has been granted by [A.B.] (*designation and address*).

It has been delivered to [C.D.] (*designation and address*) as trustee under the trust deed.

Under the trust deed, the estate of [A.B.] has been conveyed to [C.D.] as trustee for the benefit of the creditors generally of [A.B.].

On (*date*), [C.D.] caused a notice under paragraph 3(1) of schedule 4 of the Bankruptcy (Scotland) Act 2016 to be recorded in the Register of Inhibitions.

That notice is now recalled.

(*Date*)

(Signed)

[C.D.], Trustee

[or [X.Y.], Solicitor for Trustee

(*insert business address of solicitor*)]