

**2017 No. 97**

**INSOLVENCY**

**BANKRUPTCY**

**DEBT**

**The Bankruptcy Fees (Scotland) Revocation Regulations 2017**

<i>Made</i> - - - -	<i>27th March 2017</i>
<i>Laid before the Scottish Parliament</i>	<i>27th March 2017</i>
<i>Coming into force</i> - -	<i>28th March 2017</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 69A and 72(1A) of the Bankruptcy (Scotland) Act 1985(a), sections 205 and 225(2) of the Bankruptcy (Scotland) Act 2016(b), and all other powers enabling them to do so.

**Citation and commencement**

1. These Regulations may be cited as the Bankruptcy Fees (Scotland) Revocation Regulations 2017 and come into force on 28th March 2017.

**Revocation of the Bankruptcy Fees (Scotland) Regulations 2017**

2. The Bankruptcy Fees (Scotland) Regulations 2017(c) are revoked.

*PAUL WHEELHOUSE*

Authorised to sign by the Scottish Ministers

St Andrew's House,  
Edinburgh  
27th March 2017

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- (a) 1985 c.66 ("the 1985 Act"). The 1985 Act was repealed by the Bankruptcy (Scotland) Act 2016 (asp 21; "the 2016 Act"), schedule 9, Part 1; by virtue of section 234(3) of the 2016 Act the powers to make amendments under which these Regulations are made are not affected by that repeal in so far as they relate to the operation of the 1985 Act in relation to sequestrations applied or petitioned for, or protected trust deeds executed, before 30th November 2016. Section 73(1) of the 1985 Act contains a definition of "prescribed" relevant to the powers under which these Regulations are made. Section 69A was inserted by section 8 of the Bankruptcy (Scotland) Act 1993 (c.6) and amended by S.I. 1999/1820. Section 72(1A) was inserted by the Bankruptcy and Debt Advice (Scotland) Act 2014 (asp 11), schedule 3, paragraph 34(a). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).
- (b) 2016 asp 21 ("the 2016 Act"). Section 228(2) of the 2016 Act contains a definition of "prescribed" relevant to the exercise of the statutory powers under which these Regulations are made.
- (c) S.S.I. 2017/37.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations revoke the Bankruptcy Fees (Scotland) Regulations 2017 which updated provision for fees and outlays payable to the Accountant in Bankruptcy (“AiB”) in respect of the exercise of that office’s functions under the Bankruptcy (Scotland) Act 2016 (“the 2016 Act”) and when and in what manner certain bankruptcy fees and outlays are due for payment.

Those Regulations are revoked with effect from 28th March 2017, before they have effect.

Provision for fees and outlays payable to AiB and when and in what manner continue by virtue of the Bankruptcy Fees (Scotland) Regulations 2014 (S.S.I. 2014/227 as amended by S.S.I. 2015/80) and sections 234(3) and 235(1), (2) and (4) of the 2016 Act.

A Business and Regulatory Impact Assessment has not been prepared for these Regulations.

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