



Bankruptcy and Diligence etc. (Scotland) Act 2007

2007 asp 3

PART 1

BANKRUPTCY

The trustee in the sequestration

11 Statutory meeting and election of trustee

- (1) Section 21 of the 1985 Act (requirement to call statutory meeting) is repealed.
- (2) In section 21A of that Act (calling of statutory meeting where interim trustee is Accountant in Bankruptcy)—
 - (a) in subsection (1), the words from “where” to “Bankruptcy”, are repealed; and
 - (b) the heading to that section becomes “Calling of statutory meeting”.
- (3) The heading to section 23 of that Act becomes “Proceedings at statutory meeting before trustee vote”.
- (4) In section 24 of that Act (election of permanent trustee)—
 - (a) in subsection (1), for the words “the election of the permanent trustee” substitute “a vote at which they shall—
 - (a) confirm the appointment of the trustee appointed under section 2 of this Act (referred to in this section and in sections 25 to 27 of this Act as the “original trustee”); or
 - (b) elect another person as the trustee in the sequestration (referred to in this section and in sections 13 and 25 to 29 of this Act as the “replacement trustee”),such a vote being referred to in this Act as a “trustee vote”.”; and
 - (b) the heading to that section becomes “Trustee vote”.
- (5) In section 25 of that Act (confirmation of permanent trustee)—
 - (a) before subsection (1) insert—

Status: This is the original version (as it was originally enacted).

- “(A1) This section applies where a replacement trustee is elected by virtue of a trustee vote.”; and
- (b) the heading to that section becomes “Appointment of replacement trustee”.
- (6) Schedule 2 to that Act (adaptation of procedure etc. where permanent trustee not elected) is repealed.