

These notes relate to the Bankruptcy and Debt Advice (Scotland) Act 2014 (asp 11) which received Royal Assent on 29 April 2014

BANKRUPTCY AND DEBT ADVICE (SCOTLAND) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Sequestration where debtor has few assets

Section 6 – Circumstances where Accountant in Bankruptcy appointed as trustee

16. This section amends section 2 of the 1985 Act ('appointment and functions of trustee in sequestration') in order to provide for AiB to be deemed the trustee in sequestration in all cases where the debtor meets the eligibility criteria for the 'minimal asset' process and AiB awards sequestration of the debtor's estate, as at present for low income, low asset debtors. It also follows recommendation 2 of the Scottish Law Commission report.