

*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**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Records***

##### ***Section 23 – Sederunt book***

49. This section amends section 57 ('Discharge of trustee'), section 58A ('Discharge of Accountant in Bankruptcy'), section 62 ('sederunt book and other documents') of, as well as inserting a new Schedule 3A ('Information to be included in the sederunt book') into, the 1985 Act.
50. These changes to the 'sederunt book' or formal records required to be kept by the trustee provide that a sederunt book must be sent to AiB as an electronic version in such format as AiB may from time to time direct. This allows AiB to enable electronic transmission and receipt of documents although trustees may continue to hold the sederunt book in any format that they choose before sending it to AiB, in accordance with section 57(1) (b) of the 1985 Act. Whilst the sederunt book will no longer be in a paper 'book' format at the time that it is sent to the AiB, the name 'sederunt book' is retained in the 1985 Act.