



# Bankruptcy and Debt Advice (Scotland) Act 2014

2014 asp 11

## *Functions of sheriff and Accountant in Bankruptcy in sequestration*

### **36 Regulations: applications to Accountant in Bankruptcy etc.**

After section 71B of the 1985 Act, insert—

#### **“71C Regulations: applications to Accountant in Bankruptcy etc.**

- (1) The Scottish Ministers may, by regulations, make provision in relation to the procedure to be followed in relation to—
  - (a) an application to the Accountant in Bankruptcy under this Act,
  - (b) an application to the Accountant in Bankruptcy for a review under this Act,
  - (c) any other decision made by the Accountant in Bankruptcy under this Act.
- (2) In this section “decision” includes any appointment, determination, direction, award, acceptance, rejection, adjudication, requirement, declaration, order or valuation made by the Accountant in Bankruptcy.
- (3) Regulations under subsection (1) may in particular make provision for or in connection with—
  - (a) the procedure to be followed by the person making an application,
  - (b) the form of any report or other document that may be required for the purposes of an application or a decision,
  - (c) the form of a statement of undertakings that must be given by the debtor when making a debtor application,
  - (d) time limits applying in relation to the procedure,
  - (e) the procedure to be followed in connection with the production and recovery of documents relating to an application or a decision,
  - (f) the procedure to be followed (including provision about those entitled to participate) in determining an application or making a decision, and

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*Status: This is the original version (as it was originally enacted).*

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- (g) the procedure to be followed after an application is determined or a decision is made.
- (4) Regulations under subsection (1) may—
- (a) include such supplementary, incidental or consequential provision as the Scottish Ministers consider appropriate,
  - (b) modify any enactment (including this Act).”.