



Bankruptcy and Debt Advice (Scotland) Act 2014

2014 asp 11

Application for sequestration

9 Statement of undertakings

- (1) In section 2 of the 1985 Act (appointment and functions of the trustee in the sequestration), after subsection (7), insert—
- “(8) The trustee must at the same time as notifying the debtor under subsection (7) (a) or (b), send to the debtor, for signature by the debtor, a statement of undertakings in the form prescribed.”.
- (2) In section 5 of the 1985 Act (sequestration of the estate of living or deceased debtor)—
- (a) in subsection (2B), after paragraph (ba) (inserted by section 1(1)(a)), insert—
- “(bb) the debtor has given a statement of undertakings (including an undertaking to pay to the trustee after the award of sequestration of the debtor’s estate an amount determined using the common financial tool),”, and
- (b) after subsection (6A), insert—
- “(6B) In the case of a debtor application, the debtor must send a statement of undertakings to the Accountant in Bankruptcy along with the application.”.