

Changes to legislation: Bankruptcy (Scotland) Act 2016, Cross Heading: Calling of meeting is up to date with all changes known to be in force on or before 15 September 2021. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE 6 MEETINGS OF CREDITORS AND COMMISSIONERS

PART 1

MEETINGS OF CREDITORS OTHER THAN THE STATUTORY MEETING

Calling of meeting

- 1 The trustee in the sequestration must call a meeting of creditors if required to do so—
- (a) by order of the sheriff,
 - (b) by 1/10 in number or 1/3 in value of the creditors,
 - (c) by a commissioner, or
 - (d) by AiB.

Commencement Information

I1 Sch. 6 para. 1 in force at 30.11.2016 by [S.S.I. 2016/294, reg. 2](#)

- 2 Any such meeting must be held not later than 28 days after—
- (a) the issuing of the order under paragraph 1(a), or
 - (b) the receipt by the trustee of the requirement under paragraph 1(b), (c) or (d).

Commencement Information

I2 Sch. 6 para. 2 in force at 30.11.2016 by [S.S.I. 2016/294, reg. 2](#)

- 3 The trustee, or a commissioner who has given notice to the trustee, may at any time call a meeting of creditors.

Commencement Information

I3 Sch. 6 para. 3 in force at 30.11.2016 by [S.S.I. 2016/294, reg. 2](#)

- 4 The trustee, calling a meeting under paragraph 1 or 3, or a commissioner, calling a meeting under paragraph 3, is no fewer than 7 days before the date fixed for the meeting to notify—
- (a) every creditor known to the trustee or, as the case may be, to the commissioner, and
 - (b) AiB,
- of the date, time and place fixed for the holding of the meeting and of the meeting's purpose.

Commencement Information

I4 Sch. 6 para. 4 in force at 30.11.2016 by [S.S.I. 2016/294, reg. 2](#)

- 5 Where—

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- (a) a requirement has been made under paragraph 1, but
- (b) no meeting has been called by the trustee,

AiB may, of AiB's own accord or on the application of any creditor, call a meeting of creditors.

Commencement Information

I5 Sch. 6 para. 5 in force at 30.11.2016 by [S.S.I. 2016/294, reg. 2](#)

- 6 AiB, calling a meeting under paragraph 5, is no fewer than 7 days before the date fixed for the meeting to take reasonable steps to notify the creditors of the date, time and place fixed for the holding of the meeting and of the meeting's purpose.

Commencement Information

I6 Sch. 6 para. 6 in force at 30.11.2016 by [S.S.I. 2016/294, reg. 2](#)

- 7 It is not necessary to notify under paragraph 4 or 6 any creditor whose accepted claim is less than £50 or such sum as may be prescribed, unless the creditor has in writing requested such notification.

Commencement Information

I7 Sch. 6 para. 7 in force at 30.11.2016 by [S.S.I. 2016/294, reg. 2](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 78(2)(a) words in s. 78(2) renumbered as s. 78(2)(a) by [2019 asp 4 s. 7\(2\)\(a\)](#)
- s. 78(2)(b) and word inserted by [2019 asp 4 s. 7\(2\)\(b\)](#)