



# Bankruptcy (Scotland) Act 2016

## 2016 asp 21

### PART 10

#### CLAIMS, DIVIDENDS AND DISTRIBUTION ETC.

##### *Submission and adjudication of claims*

#### **127 Adjudication of claims: review and appeal**

- (1) The debtor or any creditor may apply to AiB for a review of—
  - (a) the acceptance or rejection of any claim, or
  - (b) a decision in respect of any matter requiring to be specified under section 126(7)(a) or (b).
- (2) The debtor may make an application under subsection (1) only if the debtor satisfies AiB that the debtor has, or is likely to have, a pecuniary interest in the outcome of the review.
- (3) Any application under subsection (1) must be made, in the case of a review relating to an acceptance or rejection—
  - (a) under subsection (1) of section 126, within 14 days beginning with the day of the decision to accept or reject the claim, and
  - (b) under subsection (3) of that section, within 28 days beginning with that day.
- (4) If an application under subsection (1) is made, AiB must—
  - (a) take into account any representations made by an interested party within 21 days beginning with the day on which the application is made, and
  - (b) confirm, amend or revoke the decision within 28 days beginning with that day.
- (5) The debtor or any creditor may, within 14 days beginning with the day of a decision by AiB under subsection (4)(b), appeal to the sheriff against that decision.
- (6) The debtor may appeal under subsection (5) only if the debtor satisfies the sheriff that the debtor has, or is likely to have, a pecuniary interest in the outcome of the appeal.

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**Changes to legislation:** Bankruptcy (Scotland) Act 2016, Section 127 is up to date with all changes known to be in force on or before 14 April 2024. 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](#)

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### Commencement Information

**II** [S. 127](#) 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\(2\)\(b\)](#)