



Bankruptcy (Scotland) Act 2016

2016 asp 21

PART 11

DISCHARGE

Discharge of debtor

139 Discharge of debtor: review and appeal

- (1) The trustee or the debtor may apply to AiB for a review of a decision to refuse to discharge the debtor under section 137(2) or 138(2).
- (2) Any creditor may apply to AiB for a review of a decision to discharge the debtor under section 137(2) or 138(2).
- (3) Any application under subsection (1) or (2) must be made within 14 days beginning with the day of the notification of the decision in question.
- (4) If an application is made under subsection (2), the discharge is suspended until the determination of the review by AiB.
- (5) If an application is made under subsection (1) or (2), AiB must—
 - (a) take into account any representations made by an interested person within 21 days beginning with the day on which the application is made, and
 - (b) confirm or revoke the decision within 28 days beginning with that day.
- (6) The debtor, the trustee or any creditor may appeal to the sheriff, against any decision of AiB under subsection (5)(b), within 14 days beginning with the day of the decision.