



# Bankruptcy (Scotland) Act 2016

## 2016 asp 21

### PART 11

#### DISCHARGE

##### *Discharge of debtor*

#### **144 Subsequent debtor contact: review and appeal**

- (1) The debtor may apply to AiB for a review of a decision under section 143(2) or (5) to refuse to discharge the debtor.
- (2) Any creditor may apply to AiB for a review of a decision under section 143(2) or (5) to discharge the debtor.
- (3) Any application under subsection (1) or (2) must be made within 14 days beginning with the day of notification of the decision in question.
- (4) If an application for a review under subsection (2) is made, the discharge is suspended until the determination of that review by AiB.
- (5) If an application for a review under subsection (1) or (2) is made, 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 the day on which the application is made.
- (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.

#### **Commencement Information**

**11** S. 144 in force at 30.11.2016 by S.S.I. 2016/294, reg. 2

**Changes to legislation:**

Bankruptcy (Scotland) Act 2016, Section 144 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.

[View outstanding changes](#)

**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\(2\)\(b\)](#)