



Bankruptcy (Scotland) Act 2016

2016 asp 21

PART 14 **S**

VOLUNTARY TRUST DEEDS FOR CREDITORS

Conditions for protected status

164 Protected status: the debtor **S**

- (1) The debtor must be—
 - (a) a living individual who,
 - (b) a partnership which,
 - (c) a limited partnership (within the meaning of the Limited Partnerships Act 1907) which,
 - (d) a trust which,
 - (e) a corporate body which, or
 - (f) an unincorporated body which,grants a trust deed for a single estate.
- (2) The debtor must not be—
 - (a) a debtor whose estate has been sequestrated if the trustee in the sequestration has not been discharged under section 148 or 151, or
 - (b) an entity referred to in section 6(2).
- (3) The total amount of the debtor's debts (including interest) as at the date on which the debtor grants the trust deed must be not less than £5,000.

Commencement Information

II [S. 164](#) in force at 30.11.2016 by [S.S.I. 2016/294](#), [reg. 2](#)

Changes to legislation:

Bankruptcy (Scotland) Act 2016, Section 164 is up to date with all changes known to be in force on or before 02 June 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\(2\)\(b\)](#)