



Bankruptcy (Scotland) Act 2016

2016 asp 21

PART 14

VOLUNTARY TRUST DEEDS FOR CREDITORS

Administration, accounting and discharge

182 Retention of documents by trustee under protected trust deed

The trustee under a protected trust deed must retain the following documents (or copies of those documents) for at least 12 months after the date of the trustee's discharge by the creditors under section 186—

- (a) the trust deed,
- (b) the statement mentioned in section 167(3)(c),
- (c) the notice mentioned in section 169,
- (d) the statement mentioned in section 170(1)(d),
- (e) all statements of objection or accession received from creditors,
- (f) the statement of anticipated realisations provided for in section 170(1)(e),
- (g) any written agreement relating to the debtor's heritable estate and mentioned in section 175(1),
- (h) all reports sent under section 181(2),
- (i) any adjudication on a creditor's claim,
- (j) any scheme of division among creditors,
- (k) any circular sent to creditors with accounts,
- (l) the debtor's discharge from the trust deed,
- (m) the application to creditors for the trustee's discharge,
- (n) the statement of realisation and distribution provided for in section 186(8)(b),
- (o) any decree, interlocutory decree, direction or order granted by the court and relating to the administration of the trust, and
- (p) any other document relating to the administration of the trust if it is a document which AiB, by notice to the trustee prior to the trustee's discharge, identifies as a document the trustee should retain.

Changes to legislation: Bankruptcy (Scotland) Act 2016, Section 182 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](#)

Commencement Information

II [S. 182](#) 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\(2\)\(b\)](#)