



# Bankruptcy (Scotland) Act 2016

## 2016 asp 21

### PART 4

#### TRUSTEES AND COMMISSIONERS

##### *Replacement trustees*

#### **67 Further provision as regards replacement under section 66**

- (1) Before making a determination or appointment under section 66, AIB must take into account any representations made by an interested person.
- (2) AiB must notify any determination or appointment under section 66 to—
  - (a) the former trustee (or, where the former trustee has died, the former trustee's representatives),
  - (b) the debtor,
  - (c) the trustee appointed under section 66 (where the trustee appointed is not AiB), and
  - (d) each sheriff who awarded sequestration or to whom sequestration was transferred under section 27(1).
- (3) The trustee appointed under section 66—
  - (a) must notify the determination or appointment under that section to every creditor known to the trustee,
  - (b) may require—
    - (i) delivery of all documents (other than the former trustee's accounts) relating to each sequestration in which the former trustee was acting and in the possession of the former trustee or of the former trustee's representatives,
    - (ii) delivery of a copy of the former trustee's accounts, and
    - (iii) the former trustee, or the former trustee's representatives, to submit the trustee's accounts for audit to the commissioners or, if there are no commissioners, to AiB.
- (4) Where the trustee appointed under section 66 requires submission in accordance with subsection (3)(b)(iii), the commissioners or, as the case may be, AiB must issue a

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**Changes to legislation:** Bankruptcy (Scotland) Act 2016, Section 67 is up to date with all changes known to be in force on or before 27 May 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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determination fixing the amount of the outlays and remuneration payable to the former trustee, or the former trustee's representatives, in accordance with section 132.

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**Commencement Information**

**I1** S. 67 in force at 30.11.2016 by [S.S.I. 2016/294](#), [reg. 2](#)

**Changes to legislation:**

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