



Bankruptcy and Debt Advice (Scotland) Act 2014 (repealed)

2014 asp 11

BANKRUPTCY AND DEBT ADVICE (SCOTLAND) ACT 2014 (REPEALED)

Advice and education

- 1 Sequestration of estate of living debtor: money advice
- 2 Financial education for debtor

Payments by debtor following sequestration

- 3 Debtor's contribution: common financial tool
- 4 Debtor contribution order

Sequestration where debtor has few assets

- 5 Debtor application
- 6 Circumstances where Accountant in Bankruptcy appointed as trustee
- 7 Discharge, conditions etc.

Moratorium on diligence

- 8 Moratorium on diligence

Application for sequestration

- 9 Statement of undertakings
- 10 Debtor application: incomplete or inappropriate application
- 11 Sequestration: application by executor
- 12 Concurrent proceedings for sequestration: recall

Administration of estate

- 13 Debtor's bank account
- 14 Submission of claims to trustee

Status: Point in time view as at 30/11/2016.

Changes to legislation: There are currently no known outstanding effects for the Bankruptcy and Debt Advice (Scotland) Act 2014 (repealed). (See end of Document for details)

- 15 First accounting period
- 16 Vesting of estate after sequestration

Discharge following sequestration

- 17 Discharge of debtor
- 18 Repeal of discharge on composition
- 19 Deferral of discharge where debtor cannot be traced
- 20 Unclaimed dividends and unapplied balances
- 21 Assets discovered after trustee discharge: appointment of trustee

Records

- 22 Register of insolvencies
- 23 Sederunt book
- 24 Abolition of certain requirements in relation to Edinburgh Gazette

Functions of sheriff and Accountant in Bankruptcy in sequestration

- 25 Application by trustee for direction on matters in sequestration
- 26 Recall of sequestration by sheriff
- 27 Recall of sequestration by Accountant in Bankruptcy
- 28 Appointment of replacement trustee
- 29 Replacement of trustee acting in more than one sequestration
- 30 Removal of trustee and trustee not acting
- 31 Removal of commissioner
- 32 Contractual powers of trustee
- 33 Bankruptcy restrictions order
- 34 Conversion of protected trust deed into sequestration
- 35 Power to cure defects in procedure
- 36 Regulations: applications to Accountant in Bankruptcy etc.
- 37 Valuation of debts depending on contingency

Review of decisions made by Accountant in Bankruptcy

- 38 Review of decisions about interim trustee
- 39 Review of decision not to award sequestration
- 40 Review of decisions about replacement trustee
- 41 Review of decisions about adjudication of creditor's claims
- 42 Review of decision about discharge of trustee
- 43 Appeals against decisions on review

Miscellaneous amendments

- 44 Representation of Accountant in Bankruptcy in sheriff court
- 45 Failure to send statements of assets and liabilities
- 46 Time limits for sequestration of limited partnership
- 47 Petition for sequestration by trustee under trust deed
- 48 Effect of sequestration: renewal of period of inhibition etc.
- 49 Division and sale of debtor's family home
- 50 Effect of discharge of debtor
- 51 Offence of obtaining credit: increase in amount
- 52 Bankruptcy restrictions undertaking: repeal
- 53 Debt arrangement schemes: extension to non-natural persons and fees

Status: Point in time view as at 30/11/2016.

Changes to legislation: *There are currently no known outstanding effects for the Bankruptcy and Debt Advice (Scotland) Act 2014 (repealed). (See end of Document for details)*

General

- 54 Meaning of “the 1985 Act”
- 55 Ancillary provision
- 56 Minor and consequential amendments and repeals
- 57 Commencement
- 58 Short title

SCHEDULE 1 — SCHEDULE A1 TO THE 1985 ACT

.....

SCHEDULE 2 — INFORMATION TO BE INCLUDED IN THE SEDERUNT BOOK

.....

SCHEDULE 3 — MINOR AND CONSEQUENTIAL AMENDMENTS

Sheriff Courts (Scotland) Act 1971 (c.58)

1 MINOR AND CONSEQUENTIAL AMENDMENTS

Bankruptcy (Scotland) Act 1985 (c.66)

- 2 MINOR AND CONSEQUENTIAL AMENDMENTS
- 3 MINOR AND CONSEQUENTIAL AMENDMENTS
- 4 MINOR AND CONSEQUENTIAL AMENDMENTS
- 5 MINOR AND CONSEQUENTIAL AMENDMENTS
- 6 MINOR AND CONSEQUENTIAL AMENDMENTS
- 7 MINOR AND CONSEQUENTIAL AMENDMENTS
- 8 MINOR AND CONSEQUENTIAL AMENDMENTS
- 9 MINOR AND CONSEQUENTIAL AMENDMENTS
- 10 MINOR AND CONSEQUENTIAL AMENDMENTS
- 11 MINOR AND CONSEQUENTIAL AMENDMENTS
- 12 MINOR AND CONSEQUENTIAL AMENDMENTS
- 13 MINOR AND CONSEQUENTIAL AMENDMENTS
- 14 MINOR AND CONSEQUENTIAL AMENDMENTS
- 15 MINOR AND CONSEQUENTIAL AMENDMENTS
- 16 MINOR AND CONSEQUENTIAL AMENDMENTS
- 17 MINOR AND CONSEQUENTIAL AMENDMENTS
- 18 MINOR AND CONSEQUENTIAL AMENDMENTS
- 19 MINOR AND CONSEQUENTIAL AMENDMENTS
- 20 MINOR AND CONSEQUENTIAL AMENDMENTS
- 21 MINOR AND CONSEQUENTIAL AMENDMENTS
- 22 MINOR AND CONSEQUENTIAL AMENDMENTS
- 23 MINOR AND CONSEQUENTIAL AMENDMENTS
- 24 MINOR AND CONSEQUENTIAL AMENDMENTS
- 25 MINOR AND CONSEQUENTIAL AMENDMENTS
- 26 MINOR AND CONSEQUENTIAL AMENDMENTS
- 27 MINOR AND CONSEQUENTIAL AMENDMENTS
- 28 MINOR AND CONSEQUENTIAL AMENDMENTS
- 29 MINOR AND CONSEQUENTIAL AMENDMENTS
- 30 MINOR AND CONSEQUENTIAL AMENDMENTS

Status: Point in time view as at 30/11/2016.

Changes to legislation: *There are currently no known outstanding effects for the Bankruptcy and Debt Advice (Scotland) Act 2014 (repealed). (See end of Document for details)*

- 31 MINOR AND CONSEQUENTIAL AMENDMENTS
- 32 MINOR AND CONSEQUENTIAL AMENDMENTS
- 33 MINOR AND CONSEQUENTIAL AMENDMENTS
- 34 MINOR AND CONSEQUENTIAL AMENDMENTS
- 35 MINOR AND CONSEQUENTIAL AMENDMENTS
- 36 MINOR AND CONSEQUENTIAL AMENDMENTS
- 37 MINOR AND CONSEQUENTIAL AMENDMENTS

Debt Arrangement and Attachment (Scotland) Act 2002 (asp 17)

- 38 MINOR AND CONSEQUENTIAL AMENDMENTS

Fire (Scotland) Act 2005 (asp 5)

- 39 MINOR AND CONSEQUENTIAL AMENDMENTS

Bankruptcy and Diligence etc. (Scotland) Act 2007 (asp 3)

- 40 MINOR AND CONSEQUENTIAL AMENDMENTS

Housing (Scotland) Act 2010 (asp 17)

- 41 MINOR AND CONSEQUENTIAL AMENDMENTS

SCHEDULE 4 — REPEALS

.....

Status:

Point in time view as at 30/11/2016.

Changes to legislation:

There are currently no known outstanding effects for the Bankruptcy and Debt Advice (Scotland) Act 2014 (repealed).