



# Bankruptcy and Debt Advice (Scotland) Act 2014

2014 asp 11

## *Miscellaneous amendments*

### **46 Time limits for sequestration of limited partnership**

(1) In section 8 of the 1985 Act (further provisions relating to presentation of petitions), for subsection (2) substitute—

“(2) A petition for the sequestration of the estate of a limited partnership may be presented—

- (a) by a qualified creditor or qualified creditors only if the apparent insolvency founded on in the petition was constituted within 4 months (or such other period as may be prescribed) before the date of presentation of the petition, or
- (b) at any time by—
  - (i) a temporary administrator,
  - (ii) a member State liquidator appointed in main proceedings, or
  - (iii) a trustee acting under a trust deed.”.

(2) In section 8A of the 1985 Act (further provisions relating to debtor applications), for subsection (2) substitute—

“(2) A debtor application made in relation to the estate of a limited partnership may be made—

- (a) at any time, or
- (b) within such time as may be prescribed.”.