
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2013 No.

The Protected Trust Deeds (Scotland) Regulations 2013

PART 2

CONDITIONS OF PROTECTION

The debtor

- 4.—(1) The debtor who grants the trust deed must do so for a single estate and must be—
- (a) a living individual;
 - (b) a partnership;
 - (c) a limited partnership (within the meaning of the Limited Partnerships Act 1907(1));
 - (d) a trust;
 - (e) a corporate body; or
 - (f) an unincorporated body of persons.
- (2) The debtor must not be—
- (a) a debtor whose estate has been sequestrated and the trustee in the sequestration has not been discharged under section 57 or 58A(2) of the Act; or
 - (b) an entity referred to in section 6(2) of the Act.
- (3) The total amount of the debtor's debts (including interest) at the date on which the debtor grants the trust deed must be not less than £5,000.

(1) 1907 c.24.

(2) Section 58A was inserted by the Bankruptcy (Scotland) Act 1993 (c.6), Schedule 1, paragraph 16.