

SCHEDULE 2

Regulation 30

REGISTER OF INSOLVENCIES

A. Sequestrations

- Name of debtor
- Debtor's date of birth (where known)
- Debtor's residence and any former residence within the past 5 years and principal place of business (if any) at date of sequestration or date of death
- Date of death in case of deceased debtor
- Occupation of debtor
- Whether sequestration awarded by sheriff or by AiB
- Date of any order converting protected trust deed to sequestration
- Whether sequestration under paragraph 1 of schedule 1 of the Act (the Minimal Asset Process ("MAP"))
- Name and address of petitioner for sequestration (where applicable)
- Court by which sequestration awarded (where applicable)
- Date of presentation of petition (where applicable)
- Date of first order (where applicable)
- Date of award of sequestration
- Particulars of petition for recall of sequestration⁽¹⁾ (where applicable)
- Date of recall of sequestration (where applicable)
- Name and address of trustee and date of appointment
- Level of debt when trustee's statement of debtor's affairs is produced
- Level of assets when trustee's statement of debtor's affairs is produced
- Name and address of trustee (or replacement trustee) and date of confirmation of appointment
- Particulars of notice of public examination of debtor or relevant person⁽²⁾ (where applicable)
- If the MAP ceases to apply
- Issue of certificate deferring debtor's discharge indefinitely⁽³⁾ (where applicable)
- Particulars of any application for removal of trustee⁽⁴⁾ and any order removing trustee or declaring office vacant
- Date of debtor's discharge and whether on composition or by operation of law
- Date of trustee's discharge⁽⁵⁾ and of any decision to grant or refuse certificate of discharge
- Period of any MAP bankruptcy credit restriction following discharge⁽⁶⁾

B. Protected trust deeds for creditors

- Name and address of granter of trust deed
- Granter's date of birth (where known)

(1) As provided for in section 29(5) of the Act.
(2) As provided for in section 119(7) of the Act.
(3) As provided for in section 141(7) of the Act.
(4) As provided for in section 70(4)(b) of the Act.
(5) As required by section 149(8)(a) of the Act.
(6) Under section 146 or 147 of the Act.

Address of the centre of main interests and all establishments, within the meaning of the Council Regulation (EC) No 1346/2000⁽⁷⁾, of the granter of the trust deed, unless the granter of the trust deed is an undertaking as described in Article 1(2) of the said Council Regulation

Whether the protected trust deed is considered to be main or territorial proceedings within the meaning of the said Council Regulation

The location and nature of any other insolvency proceedings

Name and address of trustee under deed

Date (or dates) of execution of deed

Date on which copy deed and certificate of accession was registered

Date of registration of statement indicating how the estate was realised and distributed and certificate to the effect that the distribution was in accordance with the trust deed

Date of trustee's discharge

Date of registration of copy of order of court that non-acceding creditor is not bound by trustee's discharge

C. Bankruptcy Restrictions Orders, Interim Bankruptcy Restrictions Orders and Bankruptcy Restrictions Undertakings

Name of debtor

Debtor's date of birth (where known)

Date of sequestration

Date of making of bankruptcy restrictions order or interim bankruptcy restrictions order

Date of acceptance of bankruptcy restrictions undertaking

Date of order varying bankruptcy restrictions order or bankruptcy restrictions undertaking (where applicable)

Date of annulment or revocation of bankruptcy restrictions order or bankruptcy restrictions undertaking (where applicable)

Date of discharge of bankruptcy restrictions undertaking (where applicable)

Date bankruptcy restrictions order, interim bankruptcy restrictions order or bankruptcy restrictions undertaking ceased to have effect

D. Moratorium

Notice of intention to apply – moratorium on diligence⁽⁸⁾ (where applicable)

E. Winding up and receivership of business associations

Company number

Company name

Type of proceedings

Name of office holder(s)

Date of appointment of office holder(s)

Date of termination of appointment of office holder(s)

Date of winding-up order (for compulsory liquidations)

Court by which company wound up

(7) Council Regulation (EC) No. 1346/2000 of 29th May 2000 on insolvency proceedings (OJ L 160, 30.6.2000, p.19), replaced from 26th June 2017 by Regulation (EU) 2015/848 of the Council and the Parliament of 20th May 2015 on insolvency proceedings (OJ L 141, 5.6.2015, p.19).

(8) As provided for in section 195(1) or 196(1) of the Act.

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Draft Legislation: *This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Bankruptcy (Scotland) Regulations 2016 No. 397*