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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2017 No.**

**The Bankruptcy and Protected Trust Deeds (Miscellaneous  
Amendments) (Scotland) Regulations 2017**

**Amendment of the Bankruptcy (Scotland) Regulations 2016**

2.—(1) The Bankruptcy (Scotland) Regulations 2016<sup>(1)</sup> are amended as follows.

(2) For regulation 22 (conversion of foreign currency claims) substitute—

“**22.** For the purposes of sections 48(1)(a) and 126(5) of the Act, the manner of conversion into sterling of the amount of a claim stated in foreign currency is to be at a single exchange rate for that currency determined by the trustee with reference to the exchange rates prevailing at the close of business on the date of sequestration<sup>(2)</sup>.”

(3) In schedule 1 (forms)—

- (a) in Form 1 (debtor application), in the Statement of Undertakings, in undertaking 2, for “award” substitute “application”;
- (b) in Form 13 (Statement of Undertakings), after “that” in the third line of undertaking 11, insert “date”;
- (c) in Form 26 (debtor certificate of discharge (where the Accountant in Bankruptcy is the trustee))—
  - (i) for the title to the notes, for “Debtor certificate of discharge” substitute “Debtor certificate of discharge (where the Accountant in Bankruptcy is the trustee)”; and
  - (ii) in the notes at the third bullet point of (1), for “district court” substitute “justice of the peace court (or a district court)”; and
- (d) in Form 27 (Debtor Certificate of Discharge (debtor to whom section 2(2) applies)), for “1985 (as amended)” substitute “2016”.

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<sup>(1)</sup> S.S.I. 2016/397.

<sup>(2)</sup> Regulation 22 re-enacts, with modifications, regulation 11 of the Bankruptcy (Scotland) Regulations 2014 (S.S.I. 2014/225) and original regulation 22 of these Regulations to correct an error in that provision.