

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Regulations 2(2)(a), 4, 8(1),10(1), 12(1),
16(1) and (2) and 20(1)

Forms

List of forms to be used

<i>Form</i>	<i>Purpose</i>	<i>Relevant provision of the Regulations</i>
1	Application to Accountant in Bankruptcy: general	Regulation 4
2	Application for direction under section 3A(2)	Regulation 8(1)
3	Application for review: general	Regulation 20(1)
4	Report of statutory meeting appointing replacement trustee: section 25(2)(a)	Regulation 10(1)
5	Grant of removal of trustee: section 29(1) (b)	Regulation 12(1)
6	Conversion of protected trust deed into bankruptcy: section 59A application	Regulation 16(1)
7	Conversion of protected trust deed into bankruptcy: section 59A award	Regulation 16(2)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

FORM 1

Application to Accountant in Bankruptcy: general

Internal Only:
Bankruptcy Ref:
Date Received

Application to Accountant in Bankruptcy: general
Bankruptcy (Scotland) Act 1985 (as amended)

Reason for Application:
(Please state the nature of your application)

Section of the Act you are applying under:
(Please provide the appropriate section of the Act you are applying under)

Debtor's name:
(Please provide full details)

Debtor's address at date of bankruptcy award:

Bankruptcy reference number:

Name of Applicant:
(Please provide full name and title of person submitting the application)

Designation:
(e.g. debtor, creditor, trustee, officer)

List of relevant parties notified of this application:
(please include details of their association with the bankruptcy)

Date notification issued to relevant parties:
(where appropriate)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

STATEMENT OF FACTS

(Here set out, in numbered paragraphs, the facts on which the application is made)

FLEA(S) IN LAW

(Where applicable, set out the plea(s) in law)

Date (insert date of application)

Signed
(signature of applicant)
for and on behalf of applicant
(insert designation and address)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

FORM 2

Application for direction under section 3A(2)

Internal Only:
Case Ref:
Date Received:

Application for Direction
Bankruptcy (Scotland) Act 1985 (as amended)
Section 3A

Application by:
(insert name and designation of applicant)

	Name of Applicant
	Address
	Town
	Postcode

In the Bankruptcy of:
(insert name and address of debtor)

	Debtor's full name
	Bankruptcy Reference

The applicant craves the Accountant:
(state here orders sought in respect of application)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Internal Only:

Case Ref:

Date Received:

STATEMENT OF FACTS

(here set out in numbered paragraphs the facts on which the application is made)

PLEA(S) IN LAW

(here set out the pleas in law)

Date (insert date of application)

Signed
(Signature of applicant)
For Solicitor for Applicant
(insert designation and address)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

FORM 3

Application for review: general

Internal Only:

Case Ref:

Date Received:

Application for AIB Review

Bankruptcy (Scotland) Act 1985 (as amended)

By submitting this application, you are acknowledging that this document will be shared with all parties involved in the review process.

Bankruptcy reference:

Name of debtor:

Address of debtor:

Name of applicant
requesting review:

Address of applicant:
(This address will be used for correspondence unless otherwise stated)

Association with bankruptcy:
(e.g debtor, creditor, trustee, other)

Section of the Act you are applying for a review under:

Decision to be reviewed:
(Please specify the decision you wish to be reviewed and where possible submit a copy of the decision)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Internal Only:
Case File
Data Received

Evidence in support of the application:

Please use this section to state the reason you are seeking a review providing as much information as possible:

If required please continue on a separate sheet

Signed:

Date:

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Internal Only:
Case List
Data Received

Official Use Only:

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

FORM 4

Report of statutory meeting appointing replacement trustee: section 25(2)(a)

bankruptcy ref

Form of Report to the Accountant in Bankruptcy
Bankruptcy (Scotland) Act 1985 (as amended)
Section 25(2)(a)

Report of the statutory meeting in the bankruptcy of
(debtor's name and address)

- i. (insert trustee name and address), as trustee in the above bankruptcy reports to the Accountant in Bankruptcy that a statutory meeting was called in accordance with the provisions of section 25 of the Bankruptcy (Scotland) Act 1985 (as amended).
 - ii. *The meeting duly took place and no creditor entitled to vote in the election of the trustee attended.
- or
- ii. *The meeting was attended by (insert number of creditors in attendance) creditors or their representatives who were advised of their right to elect a trustee and commissioners, but no trustee was elected.
 - iii. A copy of the record of the meeting and of the trustee's statement of the debtor's affairs are attached.

*delete as appropriate

Signature of trustee _____ Date _____

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

FORM 5

Grant of removal of trustee: section 29(1)(b)

bankruptcy ref



Granting the Removal of Trustee
Bankruptcy (Scotland) Act 1985 (as amended)
Section 29(1)(b)

The Accountant in Bankruptcy, having seen and considered the application under section 29(1A) of the Bankruptcy (Scotland) Act 1985 (as amended) grants same, and in terms of that application Finds and declares that the Trustee is removed and the office of the Trustee in respect of the sequestration of

(Debtor name)
(address)
(town)
(postcode)

awarded by **(The Accountant in Bankruptcy/the Sheriff at (court) Sheriff Court)**
on **(date)** has become vacant.

A meeting of creditors may be held for the election by them of a new trustee.

Issued by The Accountant in Bankruptcy
(dd/mm/yyyy)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

FORM 6

Conversion of protected trust deed into bankruptcy: section 59A application

(protected trust deed ref)

**Application for Conversion of a Protected Trust Deed
into Bankruptcy**

Bankruptcy (Scotland) Act 1985 (as amended)
Section 59A

Name and address of applicant:
(You must qualify as a Member
State Liquidator)

Name and address of person in the protected
trust deed :

Name and address of Insolvency Practitioner
currently administering the protected trust deed:

*Do you wish to nominate a trustee if the application is converted to bankruptcy?	Yes / No (*please delete as appropriate)
---	---

(If yes, please provide nomination details below. If no trustee nominated, AIB will be appointed as trustee in the bankruptcy)

Trustee Name:

Trustee Address:

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Completed by: [redacted]

I apply under Article 37 of the EC Regulation of earlier proceedings for the conversion of a protected trust deed into bankruptcy;
I have therefore, enclosed a signed and sworn affidavit in accordance with section 59B of the Act.

I confirm I have served the affidavit upon:
(Please tick the box where appropriate)

(a) the debtor	
(b) the trustee	
(c) all other relevant parties	

Signature of applicant _____ Date _____

Evidence in support of your application

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Continued on next page

Evidence in support of your application (continued)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

FORM 7

Conversion of protected trust deed into bankruptcy: section 59A award

bankruptcy ref



Deliverance awarding bankruptcy of

(Debtor name)
(address)
(town)
(postcode)

with the concurrence of a necessary Member State Liquidator

On **(date)** The Accountant in Bankruptcy has considered the foregoing application together with the productions and being satisfied that the application has been presented in accordance with the Bankruptcy (Scotland) Act 1985 (as amended), converts the estate now belonging or which shall hereafter belong to the debtor from a protected trust deed to bankruptcy.

(Debtor name, address)

before the date of the debtor's discharge and declares the same to belong to the debtor's creditors for the purposes of the said Act and appoints

(trustee name and address)

to be trustee. The whole estate of **(debtor name)** at **(date)** is vested and now belongs to said trustee for the benefit of creditors of **(debtor name)**.

Intimated to the Keeper

Accountant in Bankruptcy

AiB to send forthwith a copy to:

Certified a true copy

The Keeper of the Registers of
Inhibitions and Adjudications
and
The trustee (if not the
Accountant in Bankruptcy)