
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 295

INSOLVENCY

BANKRUPTCY

DEBT

The Bankruptcy (Applications and
Decisions) (Scotland) Regulations 2016

Made - - - - 15th September 2016
Laid before the Scottish
Parliament - - 21st September 2016
Coming into force 30th November 2016

THE BANKRUPTCY (APPLICATIONS AND
DECISIONS) (SCOTLAND) REGULATIONS 2016

PART 1

1. Citation and commencement
2. Interpretation
3. Dispensing power

PART 2

4. Applications
5. Application form: first instance applications to the Accountant in Bankruptcy
6. Application procedure: first instance applications to the Accountant in Bankruptcy
7. Inquiries
8. Further evidence

PART 3

Specific applications

9. Recall of sequestration by Accountant in Bankruptcy
10. Application for direction by trustee

Changes to legislation: There are currently no known outstanding effects for the The Bankruptcy (Applications and Decisions) (Scotland) Regulations 2016. (See end of Document for details)

11. Appointment of replacement trustee
12. Replacement trustee acting in more than one sequestration
13. Removal of trustee and trustee not acting
14. Contractual powers of trustee
15. Bankruptcy restrictions orders: proposal to make an order
16. Bankruptcy restrictions orders: revocation or variation
17. Conversion of protected trust deed into bankruptcy
18. Power to cure defects
19. Debts depending on contingency

PART 4

20. Reference to court: time limits
21. Review applications
22. Review proceedings: staff of the Accountant in Bankruptcy
23. Review proceedings: persons assisting the Accountant in Bankruptcy
24. Review decision

PART 5

25. Revocations
26. Sequestrations and trust deeds before 30th November 2016
Signature

SCHEDULE Forms

List of forms to be used

FORM 1

Application to the Accountant in Bankruptcy: general

FORM 2

Application for direction under section 52(2)

FORM 3

Application for review by the Accountant in Bankruptcy: general

FORM 4

Report of statutory meeting appointing replacement trustee: section 60(2)(a)

FORM 5

Grant of removal of trustee: section 70(1)(b)

FORM 6

Conversion of protected trust deed into bankruptcy: section 190 application

FORM 7

Conversion of protected trust deed into bankruptcy: section 192 award

Explanatory Note

Changes to legislation:

There are currently no known outstanding effects for the The Bankruptcy (Applications and Decisions) (Scotland) Regulations 2016.