



Bankruptcy (Scotland) Act 1985 (repealed)

1985 CHAPTER 66

[^{F1}Vesting of estate in trustee]

[^{F1}32A Debtor contribution order

- (1) The Accountant in Bankruptcy must make an order fixing the debtor's contribution (a "debtor contribution order")—
 - (a) in the case of a debtor application, at the same time as awarding sequestration of the debtor's estate,
 - (b) in the case of an award of sequestration following a petition under section 5(2)(b), after considering initial proposals for the debtor's contribution provided by the trustee.
- (2) In a case referred to in subsection (1)(b), the trustee must send initial proposals for the debtor's contribution before the end of the period of 6 weeks beginning with the date of award of sequestration.
- (3) In making a debtor contribution order, the Accountant in Bankruptcy must use the common financial tool to assess the debtor's contribution.
- (4) A debtor contribution order may fix the amount of the debtor's contribution as zero.
- (5) A debtor contribution order may be made irrespective of sections 11 and 12 of the [Welfare Reform and Pensions Act 1999 \(c.30\)](#).
- (6) A debtor contribution order may provide that a third person is to pay to the trustee a specified proportion of money due to the debtor by way of income.
- (7) Where a third person pays a sum of money to the trustee in accordance with subsection (6), the third person is discharged from any liability to the debtor to the extent of the sum so paid.
- (8) The Accountant in Bankruptcy must, immediately following the making of a debtor contribution order, give written notice of the order to—

Status: Point in time view as at 01/01/2015. This version of this provision has been superseded.

Changes to legislation: Bankruptcy (Scotland) Act 1985 (repealed), Section 32A is up to date with all changes known to be in force on or before 19 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) the debtor,
 - (b) the trustee, and
 - (c) any third person mentioned in the order.
- (9) A debtor contribution order must not take effect on a date before the expiry of the period of 14 days beginning with the day of notification of the order.]

Textual Amendments

- F1** Ss. 32A-32H inserted (30.6.2014 for specified purposes, 1.4.2015 in so far as not already in force) by [Bankruptcy and Debt Advice \(Scotland\) Act 2014 \(asp 11\)](#), [ss. 4, 57\(2\)](#); [S.S.I. 2014/172](#), [art. 2](#), [sch.](#); [S.S.I. 2014/261](#), [art. 3](#) (with [arts. 4-7, 12](#)) (as amended by [S.S.I. 2015/54](#), [art. 2](#))

Status:

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