



Bankruptcy (Scotland) Act 1993

1993 CHAPTER 6

9 Remuneration of permanent trustee

- (1) This section applies in the case of any sequestration in respect of which the petition is presented during the period beginning with the day on which this Act is passed and ending with the commencement of section 2 of this Act, being a sequestration to which Schedule 2 to the 1985 Act applies and in respect of which the permanent trustee is entitled to payment of his outlays and remuneration by virtue of paragraph 9 of that Schedule.
- (2) In the case of any sequestration to which this section applies, section 53 of the 1985 Act shall apply for the purposes of the determination of the remuneration and outlays of the permanent trustee subject to the provisions of regulations made under this section.
- (3) Regulations under this section may prescribe—
 - (a) the work in respect of which remuneration and outlays may be claimed, including work undertaken while the permanent trustee was acting as interim trustee;
 - (b) an amount which shall be paid in respect of remuneration and outlays in respect of any sequestration to which this section applies; and
 - (c) a scale of fees relating to the nature and extent of work undertaken to apply for the purposes of determining the remuneration and outlays in respect of any such sequestration.
- (4) Such regulations may enable the Accountant in Bankruptcy, having taken into account the matters mentioned in paragraphs (a) and (b) of section 53(4) of the 1985 Act, to determine whether, in relation to any sequestration to which this section applies, the remuneration and outlays shall be—
 - (a) the amount mentioned in subsection (3)(b) above; or
 - (b) determined by reference to the scale mentioned in subsection (3)(c) above.
- (5) Section 72 of the 1985 Act shall apply to regulations made under this section as it applies to regulations made under that Act.

Status: This is the original version (as it was originally enacted).

- (6) A determination by the Accountant in Bankruptcy in pursuance of regulations made under this section may be appealed to the sheriff in accordance with subsection (6) of the said section 53.