



# Bankruptcy and Debt Advice (Scotland) Act 2014 (repealed)

2014 asp 11

## BANKRUPTCY AND DEBT ADVICE (SCOTLAND) ACT 2014 (REPEALED)

### *Advice and education*

- 1 Sequestration of estate of living debtor: money advice
- 2 Financial education for debtor

### *Payments by debtor following sequestration*

- 3 Debtor's contribution: common financial tool
- 4 Debtor contribution order

### *Sequestration where debtor has few assets*

- 5 Debtor application
- 6 Circumstances where Accountant in Bankruptcy appointed as trustee
- 7 Discharge, conditions etc.

### *Moratorium on diligence*

- 8 Moratorium on diligence

### *Application for sequestration*

- 9 Statement of undertakings
- 10 Debtor application: incomplete or inappropriate application
- 11 Sequestration: application by executor
- 12 Concurrent proceedings for sequestration: recall

### *Administration of estate*

- 13 Debtor's bank account
- 14 Submission of claims to trustee

*Changes to legislation:* There are currently no known outstanding effects for the Bankruptcy and Debt Advice (Scotland) Act 2014 (repealed). (See end of Document for details)

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- 15 First accounting period
- 16 Vesting of estate after sequestration

*Discharge following sequestration*

- 17 Discharge of debtor
- 18 Repeal of discharge on composition
- 19 Deferral of discharge where debtor cannot be traced
- 20 Unclaimed dividends and unapplied balances
- 21 Assets discovered after trustee discharge: appointment of trustee

*Records*

- 22 Register of insolvencies
- 23 Sederunt book
- 24 Abolition of certain requirements in relation to Edinburgh Gazette

*Functions of sheriff and Accountant in Bankruptcy in sequestration*

- 25 Application by trustee for direction on matters in sequestration
- 26 Recall of sequestration by sheriff
- 27 Recall of sequestration by Accountant in Bankruptcy
- 28 Appointment of replacement trustee
- 29 Replacement of trustee acting in more than one sequestration
- 30 Removal of trustee and trustee not acting
- 31 Removal of commissioner
- 32 Contractual powers of trustee
- 33 Bankruptcy restrictions order
- 34 Conversion of protected trust deed into sequestration
- 35 Power to cure defects in procedure
- 36 Regulations: applications to Accountant in Bankruptcy etc.
- 37 Valuation of debts depending on contingency

*Review of decisions made by Accountant in Bankruptcy*

- 38 Review of decisions about interim trustee
- 39 Review of decision not to award sequestration
- 40 Review of decisions about replacement trustee
- 41 Review of decisions about adjudication of creditor's claims
- 42 Review of decision about discharge of trustee
- 43 Appeals against decisions on review

*Miscellaneous amendments*

- 44 Representation of Accountant in Bankruptcy in sheriff court
- 45 Failure to send statements of assets and liabilities
- 46 Time limits for sequestration of limited partnership
- 47 Petition for sequestration by trustee under trust deed
- 48 Effect of sequestration: renewal of period of inhibition etc.
- 49 Division and sale of debtor's family home
- 50 Effect of discharge of debtor
- 51 Offence of obtaining credit: increase in amount
- 52 Bankruptcy restrictions undertaking: repeal
- 53 Debt arrangement schemes: extension to non-natural persons and fees

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*General*

- 54 Meaning of “the 1985 Act”
- 55 Ancillary provision
- 56 Minor and consequential amendments and repeals
- 57 Commencement
- 58 Short title

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SCHEDULE 1 — SCHEDULE A1 TO THE 1985 ACT

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SCHEDULE 2 — INFORMATION TO BE INCLUDED IN THE SEDERUNT BOOK

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SCHEDULE 3 — MINOR AND CONSEQUENTIAL AMENDMENTS

*Sheriff Courts (Scotland) Act 1971 (c.58)*

1 MINOR AND CONSEQUENTIAL AMENDMENTS

*Bankruptcy (Scotland) Act 1985 (c.66)*

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*Debt Arrangement and Attachment (Scotland) Act 2002 (asp 17)*

- 38 MINOR AND CONSEQUENTIAL AMENDMENTS

*Fire (Scotland) Act 2005 (asp 5)*

- 39 MINOR AND CONSEQUENTIAL AMENDMENTS

*Bankruptcy and Diligence etc. (Scotland) Act 2007 (asp 3)*

- 40 MINOR AND CONSEQUENTIAL AMENDMENTS

*Housing (Scotland) Act 2010 (asp 17)*

- 41 MINOR AND CONSEQUENTIAL AMENDMENTS

SCHEDULE 4 — REPEALS

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