
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 143

The Protected Trust Deeds (Scotland) Regulations 2008

Power of court on application under regulation 13

14.—(1) Where, on an application by a creditor under this regulation, the sheriff is satisfied (on grounds other than those on which a petition under regulation 12(1)(b) was or could have been presented by that creditor) that the intromissions of the trustee with the estate of the debtor have been so unduly prejudicial to that creditor's claim that the creditor should not be bound by the trustee's discharge, the sheriff may order that that person will not be so bound.

(2) Where the sheriff makes an order under paragraph (1), the sheriff clerk must—

- (a) send a copy of the order to the trustee; and
- (b) send a copy to the Accountant for registration of the order in the register of insolvencies.