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SCOTTISH STATUTORY INSTRUMENTS

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**2014 No. 225**

**The Bankruptcy (Scotland) Regulations 2014**

*Sequestration Process*

**Sequestration where debtor has few assets (“Minimal Asset Process”): prescribed payments**

6.—(1) The payments specified in paragraph (2) are prescribed for the purposes of section 5(2ZA) (a)(ii) of the 1985 Act<sup>(1)</sup> (criteria for sequestration where debtor has few assets).

(2) Where the debtor has no other income (than from any of these payments) at the date of making his or her debtor application—

- (a) universal credit under Part 1 of the Welfare Reform Act 2012<sup>(2)</sup>;
- (b) another income-related benefit (as defined in section 191 of the Social Security Administration Act 1992<sup>(3)</sup>);
- (c) an income-based jobseeker’s allowance, as defined by section 1(4) of the Jobseekers Act 1995<sup>(4)</sup>;
- (d) state pension credit under the State Pension Credit Act 2002<sup>(5)</sup>;
- (e) child tax credit under the Tax Credits Act 2002<sup>(6)</sup>; or
- (f) an income-related allowance under Part 1 of the Welfare Reform Act 2007<sup>(7)</sup> (employment and support).

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(1) Section 5(2ZA) was inserted by the 2014 Act, section 5.

(2) 2012 c.5.

(3) 1992 c.5. This definition, and the relevant provisions are repealed by Part 1 of Schedule 14 to the Welfare Reform Act 2012 (c.5) subject to saving and transitional provisions.

(4) 1995 c.18, repealed by Part 1 of Schedule 14 to the Welfare Reform Act 2012 (c.5), subject to saving and transitional provisions.

(5) 2002 c.16.

(6) 2002 c.21.

(7) 2007 c.5.