
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 227

The Bankruptcy Fees (Scotland) Regulations 2014

Manner of payment

8. A fee payable to the Accountant in Bankruptcy for a function specified in Part 2 of the table of fees is due for payment—

- (a) on the application for these services being made to the Accountant in Bankruptcy, in respect of—
 - (i) item 14 (removal of trustee and trustee not acting);
 - (ii) item 15 (declaration of office of trustee as vacant);
 - (iii) item 16 (replacement of trustee acting in more than one sequestration);
 - (iv) item 17 (appointment or reappointment of trustee where newly identified estate);
 - (v) item 18 (application by trustee for a direction);
 - (vi) item 19 (curing defects in procedure);
 - (vii) item 21 (conversion of trust deed into sequestration);
- (b) in respect of the functions specified in item 2 (supervision of sequestration proceedings)—
 - (i) at the end of each 12 month period of supervision; or
 - (ii) if the trustee is discharged during a 12 month period, in advance of the granting of a certificate of discharge under section 57(3)(1) of the 1985 Act;
- (c) in respect of the functions specified in item 8(c) (protected trust deed supervision)—
 - (i) at the end of each 12 month period of supervision; or
 - (ii) if the trustee is discharged during a 12 month period, in advance of the date of discharge of the trustee under regulation 25 of the Protected Trust Deeds (Scotland) Regulations 2013(2);
- (d) in respect of the functions specified in item 12 (election of replacement trustee by trustee vote), on the submission of the relevant report to the Accountant in Bankruptcy;
- (e) in respect of the functions specified in item 22 (determination of debtor applications)—
 - (i) on the application being made to the Accountant in Bankruptcy; and
 - (ii) if paragraph 1 of Schedule A1 to the 1985 Act(3) ceases to apply to the debtor, on receiving a request from the Accountant in Bankruptcy for the fee due under item 22(b) taking account of the fee already paid under item 22(a);
- (f) in respect of any other such function, on performance by the Accountant in Bankruptcy of that function.

(1) Section 57(3)(b) was amended by paragraph 1 of schedule 6(1) to the 2007 Act.

(2) [S.S.I. 2013/318](#).

(3) Schedule A1 is inserted by section 5(2) of and schedule 1 to the 2014 Act (“minimal asset process” (MAP) cases considered under section 5(2ZA) of the 1985 Act).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
