



# Bankruptcy (Scotland) Act 1985 (repealed)

1985 CHAPTER 66

*Voluntary trust deeds for creditors*

## [<sup>F1</sup>59A Petition for conversion into sequestration

- (1) Where a member State liquidator proposes to petition the [<sup>F2</sup>sheriff] for the conversion under Article 37 of the EC Regulation (conversion of earlier proceedings) of a protected trust deed into sequestration, an affidavit complying with section 59B of this Act must be prepared and sworn, and lodged in court in support of the petition.
- (2) The petition and the affidavit required under subsection (1) above shall be served upon—
  - (a) the debtor;
  - (b) the trustee;
  - (c) such other person as may be prescribed.]

### Textual Amendments

- F1** Ss. 59A-59C inserted (8.9.2003) by [The Insolvency \(Scotland\) Regulations 2003 \(S.I. 2003/2109\)](#), [reg. 16](#)
- F2** Word in [s. 59A\(1\)](#) substituted (1.4.2008) by [Bankruptcy and Diligence etc. \(Scotland\) Act 2007 \(asp 3\)](#), [ss. 36, 227\(3\)](#), [Sch. 1 para. 51](#) (with [s. 223](#)); [S.S.I. 2008/115](#), [art. 3\(1\)\(i\)](#) (with [arts. 4-6, 10](#) (as amended (with effect from 31.1.2011) by [S.S.I. 2011/31](#), [art. 5](#)))

**Status:**

Point in time view as at 01/01/2015. This version of this provision has been superseded.

**Changes to legislation:**

Bankruptcy (Scotland) Act 1985 (repealed), Section 59A is up to date with all changes known to be in force on or before 18 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.