The Bankruptcy (Scotland) Regulations 2014

Scottish Ministers have laid The Bankruptcy (Scotland) Regulations 2014 before the Scottish Parliament. The Regulations re-enact the provisions of The Bankruptcy (Scotland) Regulations 2008 with some modifications and make provisions for amendments to the Bankruptcy (Scotland) Act 1985 ("the Act") as amended by the Bankruptcy and Debt Advice (Scotland) Act 2014 (‘BADAS Act’). The Regulations will come into effect on 1 April 2015.

With the exception of re-enacting the provisions of the 2008 Regulations, the 2014 Regulations set out the prescribed course of financial education which a debtor may be required to undertake as the Scottish Financial Education Module provided by Money Advice Scotland. They also prescribe the social security benefits as part of the Minimal Asset Process eligibility criteria. A number of Forms have been redesigned or simply renumbered with new forms introduced to cover notification for Moratorium, and deferral of discharges amongst other things.

The regulations now also permit:

- Forms to differ from those set out in the Regulations, if they are substantially of the same effect
- Any signature on a form to be an image of a manuscript signature where the form is submitted electronically

The Bankruptcy (Scotland) Regulations 2014

October 2014