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Our Ref 2021/601711
Email IRT@aib.gov.uk
Tel 0300 200 2850
Date 30/07/2021

Dear

Your Bankruptcy Application

On 30-Jul-2021 the Accountant in Bankruptcy awarded your application and declared you bankrupt under the Bankruptcy (Scotland) Act 2016.

AIB (Trustee)
A I B,
1 Pennyburn Road,
Kilwinning,
Ayrshire,
KA13 6SA

has been appointed as your trustee.

Provided you co-operate fully with your trustee, you may expect to be discharged from bankruptcy one year after the date of your bankruptcy award.

For further information on the bankruptcy process please find enclosed an FAQ sheet entitled 'what happens next – full administration.' If you have any questions relating to this matter, please do not hesitate to contact us on the number above.

Yours sincerely

For and on behalf of
The Accountant in Bankruptcy

Enc



An agency of
Buidheann Ie



The Scottish
Government
Riaghaltas na h-Alba



ACCOUNTANT
IN BANKRUPTCY
SCOTLAND'S INSOLVENCY SERVICE



Frequently Asked Questions

Award of Bankruptcy What happens next?

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Your creditors will be notified of your bankruptcy within 60 days from the date the award is made. Some creditors may still contact you during this period, if so, tell them that you are bankrupt and offer them your bankruptcy reference number (shown on any letter from AiB). If any of your creditors persist in contacting you, please contact your money adviser.

The Accountant in Bankruptcy will appoint a trustee to administer your case on her behalf. The name of your trustee will appear on your Award of Bankruptcy letter.

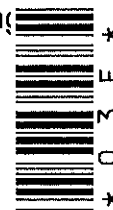
1.1 What happens to my bank account?

You may experience difficulties with your bank account and your bank may place a freeze on your account meaning that you will not be able to deposit or withdraw any money. This will usually happen in the first few weeks following your bankruptcy award. If your bank place a freeze on your account, you should contact your bank directly or your money adviser. Your bank may also close your account and ask you to bank somewhere else or open a different type of account, depending on the bank's own policies and procedures.

2. What does a trustee do?

A trustee has many functions, these include:

- recovering, managing and realising a debtor's estate,
- distributing that estate amongst the debtor's creditors,



1. What happens after AiB award my bankruptcy?

Once AiB awards your bankruptcy you will be notified in writing or email (if your preferred method of communication), and will record your details in the Register of Insolvencies (RoI). The RoI is a public register, creditors or any interested persons can search the RoI to find out if someone has been made bankrupt.

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- ascertaining the reason for the debtor's insolvency,
- ascertaining the state of the debtor's assets and liabilities,
- reporting any misbehaviour on the debtor's part with regard to his co-operation or his financial affairs prior to or during the bankruptcy

3. What are my obligations?

You must co-operate with your trustee at all times. Non co-operation is a serious matter and can result in your discharge from bankruptcy being deferred indefinitely or further restrictions being placed on you. You must notify AiB of any changes to your circumstances. For example, moving home, changing your contact telephone number, change of your financial circumstances, i.e. your income changes or you inherit/receive assets or funds during your bankruptcy.

You must not:

- obtain goods or services over £2,000 during the term of your bankruptcy without telling the person giving you the funds that you are bankrupt
- engage in business transactions, be a director of a company or be involved in the day-to-day management of a company, without permission from court or your trustee.
- Your trustee may decide that you must complete a course for financial education. This would only be the case if, in the opinion of your trustee, it would be

appropriate for you (a full list of the requirements can be found in the 'Debtor's Guide').

4. When will I be discharged from bankruptcy?

Providing that you have co-operated with your trustee, you will be discharged one year after the award of a debtor application or one year from the issue date of a warrant to cite for a creditor petition. You will be notified of your discharge either by post or email depending on your preferred method of communication.

5. What happens to the debts I owe?

The debts that you owe up to the date you are awarded bankruptcy are included in your bankruptcy. Therefore, you should not continue to pay anything to your creditors for these debts, unless they are specifically excluded from your bankruptcy. A list of debts which are excluded can be found on AiB's publication 'Debtor's Guide'. You are not discharged from your debts until you are discharged from bankruptcy. Creditors may still continue to contact you during your bankruptcy to pursue the debt, however cannot take any legal action against you.

More information can be found in the AiB publication 'Debtors Guide' which can be viewed or downloaded from AiB's website at: www.aib.gsi.gov.uk

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still legally obliged to cooperate with your trustee until they have been discharged as acting as your trustee.

6. Will I have to pay anything to my bankruptcy?

If you have benefit income only, or you have been assessed as having no surplus income available, you will not be asked to make any payments towards your bankruptcy. However, should you have available surplus income, you may be asked to make payments.

A Debtor Contribution Order (DCO) is fixed at the date of your award of bankruptcy, if you do not have available surplus income, this will be fixed at zero. A DCO will last for 48 months or the equivalent weekly period. Therefore if you're circumstances change and you are then in a position to make regular payments towards your bankruptcy, your trustee will fix the amount and you will be expected to make payments for the remainder of the period left on the DCO.

6.1. What happens to my assets?

Assets include property, land, savings, policies, shares etc. that you own. Your trustee will investigate all assets you own or have owned in the last 5 years to determine their value and if your bankrupt estate would benefit from any asset being realised (ingathered). Your trustee will inform you what action he intends to take on your assets. It may take longer than one year for an asset to be realised, therefore, your trustee will continue with this action even if you are discharged from bankruptcy. You are

More information can be found in the AiB publication 'Debtors Guide' which can be viewed or downloaded from AiB's website at www.aib.gsi.gov.uk

7. When will my trustee be discharged?

Your trustee will be discharged after the administration of your bankruptcy is complete.

7.1 Will I have to complete a financial education course?

In some circumstances debtor's may be asked to complete a financial education course i.e. if your trustee thinks that you would benefit from this.

8. What happens after my trustee's discharge?

Once your trustee has been discharged, he no longer acts as your trustee and your estate returns to you. If, after their discharge, your trustee or AiB becomes aware of an asset which should have been ingathered for the benefit of your creditors, but wasn't previously declared, The Accountant in Bankruptcy can appoint herself as trustee to ingather that asset.

Your trustee may apply for re-appointment within 5 years from the bankruptcy award date. In such a circumstance, your bankruptcy would be re-opened, the asset would be ingathered, trustee's fees would be settled, and the remaining funds would be distributed to your creditors.

