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To Trustees

Our Ref AiBOPC 01/22  
Your Ref

By email only.

Date 3 February 2022

Dear Trustee

**Publication of Trustee and Money Adviser Guidance.  
'Sensitivity Obligation – Public Registers'**

I am writing to notify you that the Accountant in Bankruptcy (AiB) has now published on the AiB website, a guidance note for trustees and Money Advisers for when AiB is asked to withhold a debtor's information from publication in the public Register of Insolvencies (RoI) and the Debt Arrangement Scheme (DAS) Register.

Section 200(8) of the Bankruptcy (Scotland) Act 2016 states: "Regulations under subsection (1)(c) may in particular prescribe circumstances where information need not be included in the register of insolvencies, if in the opinion of the Accountant in Bankruptcy, inclusion of the information would be likely to jeopardise the safety or welfare of any person."

Section 19(4) of the Debt Arrangement Scheme (Scotland) Regulations 2011, as amended, states: "Information need not be included on the DAS Register where the DAS Administrator is of the opinion that inclusion of the information would be likely to put any person at risk of violence or otherwise jeopardise the safety or welfare of any person."

The published guidance note sets out how AiB will use this discretion and explains the process AiB will follow in reaching decisions on requests for information to be withheld.

The published 'Sensitivity Obligation – Public Registers' guidance can be read [here](#).

AiB's Bankruptcy and PTD Notes for Guidance for Trustees will be amended shortly to include additional information about this process and a link to the published guidance.



If you have any questions about the 'Sensitivity Obligation – Public Registers' guidance, please contact Fiona Coyle, Head of Case Operations Branch at: [Fiona.coyle@aib.gov.uk](mailto:Fiona.coyle@aib.gov.uk), or on: 0300 200 2799.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Graeme Perry'. The signature is fluid and cursive, with a large, sweeping flourish at the end.

Graeme Perry  
Head of Operational Policy and Compliance