

# PTD Bulletin

## PTD numbers still rise

The latest statistics from Accountant in Bankruptcy (AiB) were released on 24 October 2018 for the second quarter of 2018-19 covering the period from 1 July to 30 September 2018.

During this quarter there were 3,067 personal insolvencies (bankruptcies and protected trust deeds (PTDs)), 574 more than in 2017-18 Q2.

Bankruptcies increased by 0.3% in 2018-19 Q2 when compared with the same quarter in the previous year. PTDs increased by 42%, leading to the overall rise in personal insolvencies.

In the second quarter of 2018/19, there were 1,220 debtors discharged, while trustees were discharged from 2,207 protected trust deeds.



# Keep in contact

The Register of Insolvencies provides a range of information pertinent to PTDs, including the names of trustees and the address of their organisations. The register also displays trustees' email addresses where these have been supplied.

Please provide AiB with an email address for PTD enquiries to be displayed on the register. A number of firms already do so and this has helped ensure correspondence from creditors and debtors may be submitted electronically direct to the relevant department in the trustee's organisation.

Contact the [AiB Trust Deeds team](#) with the details you'd like displayed on the register.



## Incorrect documents being uploaded

The Trust Deeds team has noticed a number of incorrect forms being uploaded to ASTRA. Please can all users of ASTRA be extra vigilant when uploading forms to ensure the correct forms and client details are added to cases.

Where a user has identified a case with incorrect information attached, please notify the team to have this deleted.



# Cases created in error

Where it has been identified that a trust deed has been created in error, so will not be advertised, please ensure the case status on ASTRA is set to: Form 1 – Created In Error.

In addition, when a case has been advertised but is not being presented to the Accountant in Bankruptcy for protection, the case should be set to: Form 3 – Created in Error.

This action will help ensure creditor enquiries are handled appropriately.

Trust Deed Status	Advertised
Case Status	Form 1 Submitted
Date Granted	15/08/2018
Advertised Date	16/08/2018
Protected Date	
Debtor Discharge Date	
Trustee Discharge Date	
Linked Case Reference	N/A
Allocated User	N/A
Last Completed Audit Date	N/A

Case Messages

► **Case Messages for Trust Deed**

Previous Events

► **Previous Events for Trust Deed**

Forms

[Form 1](#) | [Form 3](#) | [Form 4](#) | [Form 5](#) | [Form 6](#) | [Supervisions](#) | [Creditors](#)

Options

[Close Case \(Created In Error\)](#) | [Case Details](#) | [Documents](#) | [AI B Documents](#) | [View Proposed Fee Changes](#) | [Create Note](#) | [Create AIB Note](#) | [Create Message](#) | [Lette](#)

ASTRA System Version 1.63.7.303L

Please note, all cases showing as created in error will now be deleted on a monthly basis.

An update is being prepared for ASTRA which will present more user options to be selected where a case is not to be submitted for protection. More information on this development will follow in due course.

# Non-protection of trust deeds

## Examples of trust deed proposals refused protection



Since the last issue of the PTD bulletin, we have been asked by stakeholders to provide more information on common or unusual cases which were refused protection. Some examples of these are below:

### **Equity Statements**

The equity statement is essential in ensuring the creditors have all the information necessary to make an informed decision on the protection of the case. Missing or incomplete equity statements will lead to the case not being protected.

[The Dear Trustee letter of 29 November 2016](#), sets out the information required when the full amount of equity is not being realised.

### **Incorrectly Advertised**

Cases cannot be protected where the information shown on the trust deed documentation and the information advertised on the Register of Insolvencies doesn't match. It is important the information on advertisements is correct to allow creditors to identify cases in which they have an interest.

### **Further Information Not Received**

There has been a rise in trust deed submissions which have required further information before protection could be granted. When cases are rejected for further information for the first time, we require the information, or an update on the case, to be provided within 21 days. Where a submission has been rejected more than once, we request the information or an update within seven days from the date of the rejection. Where trustees are unable to supply further information requested by the team within the timescale specified in correspondence, protection will be refused.

# PTD policy update



The summer edition of the PTD bulletin reported AiB had issued a consultation as part of the review of the PTD reforms introduced in 2013 and responses had been returned and evaluated.

Responses broadly agreed the changes introduced in 2013 had met intended outcomes, however some respondents made a number of suggestions to improve the effectiveness of the PTD process.

AiB has been carefully considering the feedback received and reflecting on how to proceed.

A response to the consultation is being finalised and further discussions with members of the PTD standing committee have helped inform proposed changes.

AiB will take their proposals to Ministers shortly and hope to publish a response soon.

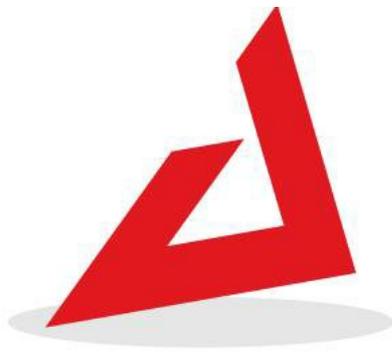
## HMRC proposals

HMRC has highlighted they have received trust deed documentation in cases where they are not a creditor. Trustees should only issue proposals to creditors where the trustee has established a debt is outstanding.

This will ensure GDPR compliance and save HMRC from spending time scrutinising trust deeds in which they have no interest.



HM Revenue  
& Customs



# ASTRA updates

## IP Interface

An Application Programming Interface (API) that allows third-party systems to communicate with ASTRA is now being used by one trustee with a second expected to go live before the end of the year.

A technical issue has been reported and is being addressed by AiB's IT team, with a fix expected shortly. Testing is ongoing on Visionblue's API solution.



## Stakeholder visit to AiB

Paul Findlay and Angela McGeever of William Duncan Business Recovery joined the Trust Deed team for the day to see first-hand the work the team do.

Paul said "My colleague and I visited the offices of the AIB to meet with the Trust Deed team. We were greeted by Stacey Dunn, head of the team and given a tour of AIB's offices.

"We then went to the Trust Deed department and it was really good to meet the team who we deal with on a regular basis. We shadowed different members of the team and were given a good insight into what happens once documents are received via ASTRA.

"We were provided with training in various areas of ASTRA, Form 4 submission, Form 7s, closure process as well as what the AIB are looking for when Form 3s and Form 4s are submitted. We spent time with most of the team and those we didn't shadow were happy to interject with answers to queries.

"We were also provided with tea and coffee (we brought cakes) and made to feel very welcome."

If you'd like a visit to the AiB offices to meet with the Trust Deed team or think you could benefit from some training please email the [AiB Trust Deeds team](#).

# Creditor workflow on ASTRA

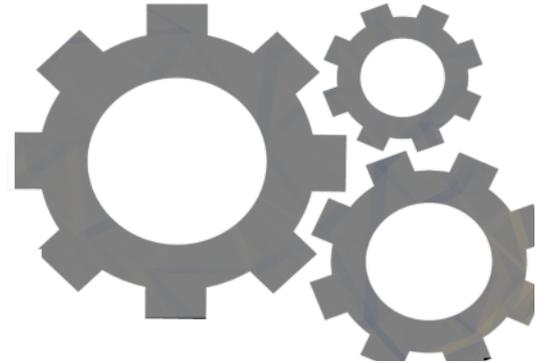
The functionality for creditors to begin to use ASTRA has now been updated.

To ensure this function works effectively, when a trustee user creates a new case on ASTRA, all creditor details should be input.

When a new creditor registers for use on ASTRA, AiB will be able to update the creditors shown on individual cases in bulk. This removes the need for trustee users to update individual cases at a later date.

Where the creditor details are not displayed, trustee users will have to add the creditor information at the Form 4 stage in order for creditors to vote on Form 4s using ASTRA.

Users must also ensure that the Form 3 Part 1 is submitted within seven days from the date of the advertisement. This ensures that registered creditors are able to vote on the protection of the proposal using ASTRA.



## Creditors on ASTRA



HM Revenue  
& Customs



HM Revenue and Customs and Glasgow City Council (excluding parking) began to use ASTRA from Monday 22 October 2018.

Capital Credit Union and Scotwest Credit Union began to use the system from Monday 29 October 2018.

The full list of registered creditors is updated regularly and can be found on ASTRA under Registered Creditors in an individual case. Complete guidance for trustee users can be found on the [AiB website](#).

**Thanks for reading this issue of the PTD Bulletin.**

**If you've any feedback on this issue please contact the  
Trust Deed Team Leader, **Stacey Dunn**.**

