



Bankruptcy and Diligence etc. (Scotland) Act 2007

2007 asp 3

PART 3

ENFORCEMENT

Miscellaneous

77 **Effect of code of practice**

- (1) A judicial officer must, in exercising the officer's functions or undertaking any activities, have regard to the provisions (so far as they are applicable) of any code of practice published under section 55 or 56 of this Act.
- (2) A failure on the part of a judicial officer to comply with any provision of a code of practice does not of itself render the officer liable to any criminal or civil proceedings.
- (3) A code of practice is admissible in evidence in any criminal or civil proceedings.
- (4) If any provision of a code of practice appears to—
 - (a) the court or tribunal conducting any civil or criminal proceedings; or
 - (b) the disciplinary committee holding a hearing under section 71 of this Act,to be relevant to any question arising in the proceedings, that provision of the code may be taken into account in determining that question.