

CORONAVIRUS (SCOTLAND) ACT 2020

EXPLANATORY NOTES

DETAIL ABOUT PROVISIONS

Schedule 2 - temporary extension of moratoriums on diligence

41. Schedule 2 increases the length of the moratorium against diligence created by sections 195 to 198 of the Bankruptcy (Scotland) Act 2016, the Act that consolidated previous bankruptcy legislation, from 6 weeks to a period of 6 months, for moratoriums established during the period covered by this emergency legislation. The provisions also remove the prohibition against benefitting from more than one moratorium in any 12 month period, so those who have recently had a moratorium are not excluded from the effect of the changes.
42. Paragraphs 2 and 3 together remove the restriction that only one moratorium can be applied for in any one 12 month period.
43. Paragraph 4(a) extends the period of the moratorium from 6 weeks to 6 months, and paragraph 4(b) makes one consequential change to the arrangements for those in a moratorium who then enter a protected trust deed.