



Coronavirus (Recovery and Reform) (Scotland) Act 2022

2022 asp 8

PART 3

PUBLIC SERVICE REFORM

Diligence

22 Bank arrestments: protected minimum balance

- (1) The Debtors (Scotland) Act 1987 is modified by subsection (2).
- (2) In section 73F (protection of minimum balance in certain bank accounts)—
 - (a) in subsection (3), for “mentioned in subsection (4) below” substitute “of £1,000”,
 - (b) subsection (4) is repealed,
 - (c) in subsection (6)—
 - (i) the “and” at the end of paragraph (a)(ii) is repealed,
 - (ii) after paragraph (a), insert—

“(aa) vary the protected minimum sum mentioned in subsection (3)(a), and”.
- (3) The modifications made by subsection (2) have no effect in relation to an arrestment executed before 1 November 2022.

23 Period of moratorium on diligence

- (1) Section 198 of the Bankruptcy (Scotland) Act 2016 (period of moratorium) is modified as follows.
- (2) In each of the following, for “6 weeks” substitute “6 months”—
 - (a) subsection (1)(b)(i),
 - (b) subsection (3),
 - (c) subsection (5),

(d) subsection (7).

- (3) In subsection (6)(b), for “13 weeks after the day on which the moratorium began under subsection (1)(a)” substitute “7 weeks after the day on which the moratorium would have ended but for this subsection”.

24 Power to amend period of moratorium on diligence

- (1) The Bankruptcy (Scotland) Act 2016 is modified as follows.

- (2) In section 198 (period of moratorium), after subsection (8), insert—

“(9) The Scottish Ministers may by regulations modify this section so as to vary any of the periods specified in subsections (1)(b)(i), (3), (5), (6)(b) or (7).”.

- (3) In section 225 (regulations: general), in subsection (4)(a), after “194(1)” insert “, 198(9)”.