



# Bankruptcy and Diligence (Scotland) Act 2024

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## BANKRUPTCY AND DILIGENCE (SCOTLAND) ACT 2024

### *Mental health moratorium*

- 1 Moratorium on debt recovery action: debtors who have a mental illness
- 2 Procedure for first regulations under section 1
- 3 Review of mental health moratorium

### *Modification of the Bankruptcy (Scotland) Act 2016*

- 4 Process for applying for recall of an award of sequestration
- 5 Recall of sequestration: payment of interest
- 6 When sequestration is awarded: minimal asset process
- 7 Petition for sequestration: citation of debtor
- 8 Gratuitous alienations: right acquired in good faith and for value
- 9 Time periods for appeals against decisions by AiB
- 10 Protected trust deeds: information and time to be provided to debtor
- 11 Debtor not traced: former trustee's outlays and remuneration
- 12 Failure of debtor to co-operate with trustee in sequestration
- 13 Commissioners: disqualification from office where AiB is trustee

### *Arrestment and action of furthcoming*

- 14 Service of documents and arrestee's duty of disclosure
- 15 Attachment of property or funds: duty to consult and power to make further provision

### *Diligence against earnings*

- 16 Service of documents and employers' etc. duty of disclosure

### *Diligence on the dependence*

- 17 Provision of debt advice and information package

**Changes to legislation:** There are currently no known outstanding effects for the  
Bankruptcy and Diligence (Scotland) Act 2024. (See end of Document for details)

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*Exceptional attachment*

18 Notice and redemption periods

*Money attachment*

19 Money attachment when premises are open

*Arrestment of ships*

20 Arrestment of ships on a Sunday

*Final provisions*

21 Ancillary provision

22 Commencement

23 Short title

**Changes to legislation:**

There are currently no known outstanding effects for the Bankruptcy and Diligence (Scotland) Act 2024.