



Bankruptcy and Diligence etc. (Scotland) Act 2007

2007 asp 3

PART 4

LAND ATTACHMENT AND RESIDUAL ATTACHMENT

CHAPTER 3

RESIDUAL ATTACHMENT

Application for residual attachment order

131 Effect of application for residual attachment order

- (1) Where an application for a residual attachment order is intimated to a debtor, the debtor must not, during the period mentioned in subsection (2) below, take any of the steps mentioned in subsection (3) below in relation to the property specified in the application.
- (2) The period referred to in subsection (1) above is the period—
 - (a) beginning with the day on which the application is intimated to the debtor; and
 - (b) ending with the day on which the court—
 - (i) makes a residual attachment order; or
 - (ii) dismisses the application.
- (3) The steps referred to in subsection (1) above are—
 - (a) transferring or otherwise disposing of the property;
 - (b) burdening the property;
 - (c) granting any licence or sub-licence in relation to the property; or
 - (d) entering into any agreement to do anything mentioned in paragraph (a), (b) or (c) above in relation to the property.

Status: This is the original version (as it was originally enacted).

- (4) Any step mentioned in subsection (3) above which is taken in breach of subsection (1) above is void.
- (5) Breach by the debtor or any other person of subsection (1) above may be dealt with as a contempt of court.