



Bankruptcy (Scotland) Act 2016

2016 asp 21

PART 18

GENERAL

235 Continuity of the law

- (1) The repeal and re-enactment of a provision by this Act does not affect the continuity of the law.
- (2) Anything done, or having effect as if done, under (or for the purposes of or in reliance on) a provision repealed by this Act, being a provision in force or effective immediately before the coming into force of this Act, has effect after that coming into force as if done under (or for the purposes of or in reliance on) the corresponding provision of this Act.
- (3) Any reference (express or implied) in this Act or in any other enactment or document to a provision of this Act is to be construed, so far as the context permits, as including, as respects times, circumstances or purposes in relation to which the corresponding repealed provision had effect, a reference to that corresponding provision.
- (4) Any reference (express or implied) in any enactment or document to a provision repealed by this Act is to be construed, so far as the context permits, as including, as respects times, circumstances or purposes in relation to which the corresponding provision of this Act has effect, a reference to that corresponding provision.
- (5) Subsections (1) to (4) have effect in place of section 19(3) to (5) of the Interpretation and Legislative Reform (Scotland) Act 2010 (effect of repeal and re-enactment); but nothing in this section affects any other provision of that Act.
- (6) This section is without prejudice to section 234(3) and to any specific transitional provision or saving contained in this Act.
- (7) References in this section to this Act include subordinate legislation made under or by virtue of this Act.

Changes to legislation: Bankruptcy (Scotland) Act 2016, Section 235 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Commencement Information

II [S. 235](#) in force at 30.11.2016 by [S.S.I. 2016/294](#), [reg. 2](#)

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Bankruptcy (Scotland) Act 2016, Section 235 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 31(5)(a) inserted by [2024 asp 9 s. 4\(3\)\(c\)\(i\)](#)
- s. 31(5)(b) inserted by [2024 asp 9 s. 4\(3\)\(c\)\(ii\)](#)
- s. 32(4)(b)(i)(ii) and words substituted for words by [2024 asp 9 s. 5\(3\)\(a\)](#)
- s. 33(1)(aa) inserted by [2024 asp 9 s. 4\(5\)\(b\)](#)
- s. 34(A1) inserted by [2024 asp 9 s. 4\(6\)\(a\)](#)
- s. 34(1)(a)(i)(ii) and words substituted for words by [2024 asp 9 s. 5\(4\)](#)
- s. 34(1A) inserted by [2024 asp 9 s. 4\(6\)\(b\)](#)
- s. 35(2)(a)(b) inserted by [2024 asp 9 s. 4\(7\)\(b\)](#)
- s. 35(2A)(2B) inserted by [2024 asp 9 s. 4\(7\)\(c\)](#)
- s. 35(6)(a)(i)(ii) and words substituted for words by [2024 asp 9 s. 5\(5\)\(b\)](#)
- s. 35(6A)-(6C) inserted by [2024 asp 9 s. 4\(7\)\(e\)](#)
- s. 37A inserted by [2024 asp 9 s. 5\(6\)](#)
- s. 77(6A) inserted by [2024 asp 9 s. 13\(3\)](#)
- s. 78(2)(a) words in s. 78(2) renumbered as s. 78(2)(a) by [2019 asp 4 s. 7\(2\)\(a\)](#)
- s. 78(2)(b) and word inserted by [2019 asp 4 s. 7\(2\)\(b\)](#)
- s. 134(6) inserted by [2024 asp 9 s. 9\(3\)\(c\)](#)
- s. 147A-147C and cross-heading inserted by [2024 asp 9 s. 12\(2\)](#)
- s. 167(3)(b)(ba) substituted for s. 167(3)(b) by [2024 asp 9 s. 10\(2\)\(a\)](#)
- s. 167(4)-(6) inserted by [2024 asp 9 s. 10\(2\)\(b\)](#)
- s. 214(2)(qa) inserted by [2024 asp 9 s. 12\(3\)](#)