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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 448**

**DEBT**

**DILIGENCE**

**The Debt Arrangement and Attachment  
(Scotland) Act 2002 (Transfer of Functions  
to the Accountant in Bankruptcy) Order 2004**

*Made - - - - 18th October 2004*

*Laid before the Scottish*

*Parliament - - - - 19th October 2004*

*Coming into force in accordance with article 1*

The Scottish Ministers, in exercise of the powers conferred by sections 8 and 62(2) of the Debt Arrangement and Attachment (Scotland) Act 2002(1) and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation and Commencement**

**1.** This Order may be cited as the Debt Arrangement and Attachment (Scotland) Act 2002 (Transfer of Functions to the Accountant in Bankruptcy) Order 2004 and shall come into force at 0100 hours on 30th November 2004.

**Interpretation**

**2.** In this Order, “Accountant in Bankruptcy” has the meaning given by section 73 of the Bankruptcy (Scotland) Act 1985(2).

**Transfer of functions to the Accountant in Bankruptcy**

**3.** The functions of the Scottish Ministers under Part I of the Debt Arrangement and Attachment (Scotland) Act 2002 may be performed on their behalf by the Accountant in Bankruptcy.

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(1) 2002 asp 17.  
(2) 1985 c. 66.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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### **Performance of functions by the Accountant in Bankruptcy**

4. The functions referred to in article 3 may be carried out on behalf of the Accountant in Bankruptcy by any member of the Accountant in Bankruptcy's staff authorised by the Accountant in Bankruptcy to do so.

St Andrew's House, Edinburgh  
18th October 2004

*CATHY JAMIESON*  
A member of the Scottish Executive

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order provides for the transfer to the Accountant in Bankruptcy of certain functions of the Scottish Ministers in relation to the Debt Arrangement Scheme under Part I of the Debt Arrangement and Attachment (Scotland) Act 2002.

Article 3 provides that the functions of the Scottish Ministers under Part 1 of the Act may be performed on their behalf by the Accountant in Bankruptcy.

Article 4 provides the Accountant of Bankruptcy with the authority to delegate the performance of the functions referred to in this Order to members of staff of the Accountant in Bankruptcy.