
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 369

**The Bankruptcy and Diligence etc. (Scotland) Act 2007
(Commencement No. 5 and Transitional) Order 2009**

Citation

1. This Order may be cited as the Bankruptcy and Diligence etc. (Scotland) Act 2007 (Commencement No. 5 and Transitional) Order 2009.

Interpretation

2. In this Order, “the Act” means the Bankruptcy and Diligence etc. (Scotland) Act 2007.

Appointed day – money attachment

3.—(1) The following provisions of the Act, in so far as not already in force, come into force on 23rd November 2009:—

- (a) Part 8 and schedule 3 (money attachment); and
- (b) section 226(1) in so far as relating to the provisions of schedule 5 (minor and consequential amendments) commenced by this Order.

(2) The minor and consequential amendments in schedule 5 specified in column 1 of the Schedule to this Order, in so far as not already in force, come into force on 23rd November 2009, subject to paragraph (3).

(3) Where in the Schedule to this Order a purpose is specified in column 2 in relation to an amendment, it comes into force only for that purpose, but where no purpose is specified it comes into force for all purposes (in so far as not already in force).

Transitional modification of the Act – references to “judicial officer”

4.—(1) Any reference to a “judicial officer” in, or having effect by virtue of, any provision of the Act commenced by this Order is to be read as a reference to a messenger-at-arms or a sheriff officer (or a reference to a messenger-at-arms and a sheriff officer as the case may be).

(2) This article ceases to have effect on the day to be appointed for the coming into force of section 60 of the Act (abolition of offices of messenger-at-arms and sheriff officer).

St Andrew’s House,
Edinburgh
27th October 2009

FERGUS EWING
Authorised to sign by the Scottish Ministers