
STATUTORY INSTRUMENTS

1993 No. 438

**The Bankruptcy (Scotland) Act 1993
Commencement and Savings Order 1993**

Sequestrations; savings

4.—(1) Without prejudice to section 12(6) of the Act, nothing in any provision of the Act brought into force by this Order shall have effect as regards any sequestration in respect of which the petition is presented on or after 1st April 1993 and before 1st October 1993 by a trustee acting under a trust deed granted before 1st April 1993.

(2) Without prejudice to section 12(6) of the Act, paragraph (1) of this article, or to article 5(1) of this Order and notwithstanding the provisions of the Act brought into force by this Order, the 1985 Act as in force immediately before 1st April 1993 shall continue to apply and have effect in relation to any sequestration—

- (a) in respect of which the petition is presented before that date; or
- (b) as referred to in paragraph (1) of this article.

(3) Without prejudice to paragraph (2) of this article and notwithstanding the provisions of the Act brought into force by this Order, the following provisions of the 1985 Act, as in force immediately before 1st April 1993 relating to the maintenance of the list of interim trustees, namely—

- section 1(1)(b),
- section 2(2), (3) and (4), and
- in section 73(1), the definition of the expression “list of interim trustees”

shall continue to apply and have effect for the purposes of any sequestration referred to in paragraphs (1) and (2) of this article.