



Bankruptcy and Diligence etc. (Scotland) Act 2007

2007 asp 3

BANKRUPTCY AND DILIGENCE ETC. (SCOTLAND) ACT 2007

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Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Bankruptcy and Diligence etc. (Scotland) Act 2007. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

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1 The 1985 Act is amended as follows.

2 In section 1A (supervisory functions of the Accountant in Bankruptcy)

—...

3 (1) Section 2 (appointment and functions of interim trustee) is...

4 (1) Section 5 (sequestration of the estate of living or...

5 In section 6(5) (combination of certain petitions for sequestration), for...

6 In section 7(2)(c) (end of apparent insolvency), for “when” substitute...

7 In section 9(5) (jurisdiction), after “petition” insert “, the...

8 For section 10 (concurrent proceedings for sequestration or analogous remedy)...

9 In section 11 (creditor's oath)— (a) in subsection (1), for...

10 In section 12 (when sequestration is awarded)—

11 (1) Section 13 (resignation, removal etc. of interim trustee) is...

12 (1) Section 14 (registration of court order) is amended as...

13 In section 15 (further provision relating to award of sequestration),...

14 In section 16 (petition for recall of sequestration)—

15 In section 17 (recall of sequestration)— (a) in subsection (1)(c),...

16 (1) Section 18 (interim preservation of estate) is amended as...

17 (1) Section 19 (statement of assets and liabilities) is amended...

18 In section 20 (trustee's duty to send information to Accountant...

19 The italic cross-heading preceding section 21 becomes “ Statutory meeting...”

20 In section 21A(2) (time limit for giving notice of intention...

21 In section 21B (report where no statutory meeting called)—

22 In section 22(3)(a) (trustee's duty to inform creditors outside Scotland),...

23 (1) Section 24 (election of permanent trustee) is amended as...

24 (1) Section 25 (confirmation of permanent trustee) is amended as...

25 (1) Section 26 (provisions relating to termination of interim trustee's...

26 (1) Section 26A (Accountant in Bankruptcy to account for intromissions)...

27 (1) In section 27 (discharge of interim trustee)—

28 (1) Section 28 (resignation and death of permanent trustee) is...

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- 29 (1) Section 29 (removal of permanent trustee and trustee not...
- 30 (1) Section 31 (vesting of estate at date of sequestration)...
- 31 Section 31A (proceedings under EC regulation: modified definition of “estate”)...
- 32 In section 32 (vesting of estate and dealings of debtor...
- 33 In section 37(1) (effect of sequestration on diligence), for “court”...
- 34 (1) In section 38(1)(a) (taking possession of estate by permanent...
- 35 (1) Section 39 (management and realisation of estate) is amended...
- 36 In section 40 (power in relation to family home)—
- 37 In section 41(1) (protection of occupancy rights of non-entitled spouse)
—...
- 38 In section 41A(1) (protection of occupancy rights of civil partner)—...
- 39 In section 42 (contractual powers of permanent trustee)—
- 40 The heading to section 43 becomes “ Money received by...
- 41 In section 46(1) (warrant to apprehend)— (a) in paragraph (a),...
- 42 In section 48 (submission of claims to permanent trustee)—
- 43 In section 51(1)(d) (order of priority in distribution), for “the...
- 44 (1) Section 52 (estate to be distributed in respect of...
- 45 In section 53 (procedure after end of accounting period)—
- 46 After section 53, insert— Modification of procedure under section 53...
- 47 In section 55, subsection (3) (references to a fine or...
- 48 The italic cross-heading preceding section 57 becomes “ Discharge of...
- 49 The heading to section 57 becomes “ Discharge of trustee...
- 50 In section 58A(7) (discharge of Accountant in Bankruptcy), after
“sequestration”...
- 51 In section 59A(1) (petition for conversion into sequestration), for
“court”,...
- 52 In section 59B(1)(c) (contents of affidavit), for “court”, in both...
- 53 In section 59C (power of court)— (a) for “court”, in...
- 54 In section 60B(2) (trustee to give notice or provide copies...
- 55 In section 61 (extortionate credit transactions), for “court”, in both...
- 56 The heading to section 64 becomes “ Debtor to co-operate...
- 57 In section 65(1) (arbitration and compromise), for “court” substitute “...
- 58 The heading to section 69 becomes “ Outlays of insolvency...
- 59 In section 70(1)(a) (supplies by utilities), for “the petition was...
- 60 (1) Section 73 (interpretation) is amended as follows.
- 61 In Schedule 6 (meetings of creditors and commissioners)—
- 62 In Part II of Schedule 7 (re-enactment of certain provisions)...

SCHEDULE 2 — The Scottish Civil Enforcement Commission

Status

- 1 (1) The Commission— (a) is not a servant or agent...

Membership

- 2 The Commission is to consist of— (a) the following persons...
- 3 No person may be appointed as a member of the...

Tenure of office

- 4 Subject to paragraphs 5 to 14 below, a member appointed...
- 5 Subject to paragraphs 6 to 10 below, members are appointed...

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- 6 A member who is— (a) a Senator of the College...
- 7 A member who is— (a) a solicitor or advocate; or...
- 8 A member who becomes a member of—
- 9 A member may at any time resign by notice in...
- 10 The Scottish Ministers may remove a member from office if...
- 11 Where— (a) a person makes a complaint to the Commission...
- 12 The Commission may revoke or extend a suspension made under...

Filling vacancies

- 13 (1) This paragraph applies where a person ceases to be...
- 14 Paragraphs 5 to 13 above apply in relation to a...

Chairperson

- 15 The Commission must select one member as chairperson of the...

Disciplinary Committee

- 16 The Commission must appoint a disciplinary committee (which may include...

Remuneration

- 17 The Commission must pay to its members (and to members...

General powers

- 18 The Commission may do anything which it considers is necessary...
- 19 The power in paragraph 18 above includes, in particular, power...
- 20 Where the Commission levies charges under paragraph 19(g) above, it...

Quorum

- 21 Subject to any regulations as may be made under paragraph...

Structure and procedures

- 22 The Scottish Ministers may, by regulations, make further provision about...

Chief executive officer and other staff

- 23 Subject to paragraph 24 below, the Commission may appoint as...
- 24 The Commission must appoint, as a member of staff, a...
- 25 The Commission may determine the remuneration and conditions of service...
- 26 The Commission may— (a) pay, or make arrangements for the...
- 27 The reference in paragraph 26 above to pensions, allowances and...
- 28 Anything done by virtue of paragraphs 24 to 27 above...

Location of office

- 29 The Commission— (a) must not determine where its office premises...

Financing by the Scottish Ministers

- 30 The Scottish Ministers may— (a) pay grants;

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- 31 Any— (a) grant paid in pursuance of paragraph 30(a) above;...
32 The Scottish Ministers may, from time to time after any...

Accounts and audit

- 33 The Commission must— (a) keep proper accounts and accounting records;...
34 Every statement of accounts prepared by the Commission in accordance...
35 The financial year of the Commission is—

SCHEDULE 3 — Expenses of money attachment

Expenses chargeable against the debtor

- 1 There is to be chargeable against the debtor any expenses...
2 Expenses chargeable against the debtor by virtue of paragraph 1(e)...

Circumstances where no expenses are due to or by either party

- 3 Subject to paragraph 4 below, the debtor shall not be...
4 If— (a) an application mentioned in paragraph 3(a) above is...
5 Paragraphs 3 and 4 above do not apply to expenses...

SCHEDULE 4 — Modifications of enactments relating to admiralty actions and the arrestment of ships

Definition of “maritime lien”

- 1 In section 48 of the Administration of Justice Act 1956...
2 In sections 45(5) and 47(3)(b), (4)(b) and (5) of the...
3 In section 47(2)(r) of the 1956 Act, for “or hypothecation...

The term “admiralty action”

- 4 In section 47 of the 1956 Act—
5 (1) In paragraph 7 of schedule 5 to the Civil...

Arrestment in rem granted by the sheriff

- 6 After section 47 of the 1956 Act, insert— Execution of...

Arrestment on the dependence

- 7 (1) Section 47 of the 1956 Act is amended as...

Liability for losses and expenses

- 8 After section 47A of the 1956 Act (as inserted by...

Factors affecting arrestments

- 9 After section 47B of the 1956 Act (as inserted by...

Cargo on board a ship exempt from attachment

- 10 In section 11 of the 2002 Act (articles exempt from...

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Location of a ship when arrestment executed

- 11 In section 47 of the 1956 Act—

Demise charters

- 12 After section 47D of the 1956 Act (as inserted by...
13 In section 6(c) of the Sheriff Courts (Scotland) Act 1907...

SCHEDULE 5 — Minor and consequential amendments

The Companies Clauses Consolidation (Scotland) Act 1845 (c. 17)

- 1 In section 114 of the Companies Clauses Consolidation (Scotland) Act...

The Harbours, Docks and Piers Clauses Act 1847 (c. 27)

- 2 In section 46 of the Harbours, Docks and Piers Clauses...

The Titles to Land Consolidation (Scotland) Act 1868 (c. 101)

- 3 In section 3 of the Titles to Land Consolidation (Scotland)...

The Writs Execution (Scotland) Act 1877 (c. 40)

- 4 In section 3(a) of the Writs Execution (Scotland) Act 1877...

The Judicial Factors (Scotland) Act 1889 (c. 39)

- 5 In section 11A of the Judicial Factors (Scotland) Act (application...

The Sheriff Courts (Scotland) Extracts Act 1892 (c. 17)

- 6 (1) The Sheriff Courts (Scotland) Extracts Act 1892 is amended...

The Execution of Diligence (Scotland) Act 1926 (c. 16)

- 7 (1) The Execution of Diligence (Scotland) Act 1926 is amended...

The Local Government (Scotland) Act 1947 (c. 43)

- 8 (1) The Local Government (Scotland) Act 1947 is amended as...

The Taxes Management Act 1970 (c. 9)

- 9 (1) The Taxes Management Act 1970 is amended as follows....

The Sheriff Courts (Scotland) Act 1971 (c. 58)

- 10 In section 32(1) of the Sheriff Courts (Scotland) Act 1971...

The Animal Health Act 1981 (c. 22)

- 11 In section 92(3) of the Animal Health Act 1981 (power...

The Civil Jurisdiction and Judgments Act 1982 (c. 27)

- 12 In section 27 of the Civil Jurisdiction and Judgments Act...

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The Bankruptcy (Scotland) Act 1985 (c. 66)

13 (1) The 1985 Act is amended as follows.

The Insolvency Act 1986 (c. 45)

14 (1) The Insolvency Act 1986 is amended as follows.

The Legal Aid (Scotland) Act 1986 (c. 47)

15 In Part 2 of Schedule 2 to the Legal Aid...

The Debtors (Scotland) Act 1987 (c. 18)

16 (1) The 1987 Act is amended as follows.

The Abolition of Domestic Rates etc. (Scotland) Act 1987 (c. 47)

17 (1) Schedule 2 to the Abolition of Domestic Rates etc....

The Child Support Act 1991 (c. 48)

18 In section 38 of the Child Support Act 1991 (enforcement...

The Social Security Administration Act 1992 (c. 5)

19 In section 121B of the Social Security Administration Act 1992—...

The Local Government Finance Act 1992 (c. 14)

20 (1) Schedule 8 to the Local Government Finance Act 1992...

The Tribunals and Inquiries Act 1992 (c. 53)

21 In Part II of Schedule 1 to the Tribunals and...

The Proceeds of Crime (Scotland) Act 1995 (c. 43)

22 In section 32 of the Proceeds of Crime (Scotland) Act...

The Criminal Procedure (Scotland) Act 1995 (c. 46)

23 In section 221 of the Criminal Procedure (Scotland) Act 1995...

The Finance Act 1997 (c. 16)

24 In section 52 of the Finance Act 1997—

The Ethical Standards in Public Life etc. (Scotland) Act 2000 (asp 7)

25 In schedule 3 to the Ethical Standards in Public Life...

The Water Industry (Scotland) Act 2002 (asp 3)

26 (1) Schedule 4 to the Water Industry (Scotland) Act 2002...

The Scottish Public Services Ombudsman Act 2002 (asp 11)

27 In Part 2 of schedule 2 to the Scottish Public...

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The Freedom of Information (Scotland) Act 2002 (asp 13)

28 In schedule 1 to the Freedom of Information (Scotland) Act...

The Proceeds of Crime Act 2002 (c. 29)

29 In section 123 of the Proceeds of Crime Act (inhibition...

The Debt Arrangement and Attachment (Scotland) Act 2002 (asp 17)

30 (1) The 2002 Act is amended as follows.

The Public Appointments and Public Bodies etc. (Scotland) Act 2003 (asp 4)

31 In schedule 2 to the Public Appointments and Public Bodies...

The Finance Act 2003 (c. 14)

32 In paragraph 3(2) of Schedule 12 to the Finance Act...

The Civil Partnership Act 2004 (c. 33)

33 In section 103(6) of the Civil Partnership Act 2004 (warrant...

SCHEDULE 6 — Repeals and revocation

Part 1 — REPEALS

Part 2 — REVOCATION

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Changes and effects yet to be applied to :

- Pt. 3 title substituted by 2010 asp 8 Sch. 4 para. 10
- s. 50 repealed by 2010 asp 8 Sch. 4 Pt. 2
- s. 51 cross-heading inserted by 2010 asp 8 Sch. 4 para. 11(3)
- s. 51 title text amended by 2010 asp 8 Sch. 4 para. 11(2)
- s. 51(1) repealed by 2010 asp 8 Sch. 4 para. 11(1)(a)
- s. 51(2) text amended by 2010 asp 8 Sch. 4 para. 11(1)(b)
- s. 51(3)(a) repealed by 2010 asp 8 Sch. 4 para. 11(1)(c)(i)
- s. 51(3)(b) text amended by 2010 asp 8 Sch. 4 para. 11(1)(c)(ii)
- s. 51(4) text amended by 2010 asp 8 Sch. 4 para. 11(1)(d)
- s. 51(5) text amended by 2010 asp 8 Sch. 4 para. 11(1)(e)
- s. 51(6) repealed by 2010 asp 8 Sch. 4 para. 11(1)(f)
- s. 52 repealed by 2010 asp 8 Sch. 4 Pt. 2
- s. 53 text amended by 2010 asp 8 Sch. 4 para. 12(b)
- s. 53(b) and word repealed by 2010 asp 8 Sch. 4 para. 12(a)
- s. 54-60 repealed by 2010 asp 8 Sch. 4 Pt. 2
- s. 61 cross-heading text amended by 2010 asp 8 Sch. 4 para. 13(2)
- s. 61 title text amended by 2010 asp 8 Sch. 4 para. 13(2)
- s. 61(1) text amended by 2010 asp 8 Sch. 4 para. 13(1)(a)
- s. 61(2)(a) text amended by 2010 asp 8 Sch. 4 para. 13(1)(a)
- s. 61(2)(d) repealed by 2010 asp 8 Sch. 4 para. 13(1)(b)
- s. 61(3) text amended by 2010 asp 8 Sch. 4 para. 13(1)(c)
- s. 61(4)-(7) repealed by 2010 asp 8 Sch. 4 Pt. 2
- s. 62 title text amended by 2010 asp 8 Sch. 4 para. 14(2)
- s. 62(1) text amended by 2010 asp 8 Sch. 4 para. 14(1)(a)
- s. 62(2)(a) text amended by 2010 asp 8 Sch. 4 para. 14(1)(b)
- s. 62(2)(f) text amended by 2010 asp 8 Sch. 4 para. 14(1)(b)
- s. 62(2)(g) text amended by 2010 asp 8 Sch. 4 para. 14(1)(b)
- s. 63 cross-heading text amended by 2010 asp 8 Sch. 4 para. 15(2)
- s. 63 title text amended by 2010 asp 8 Sch. 4 para. 15(2)
- s. 63(1)(a) text amended by 2010 asp 8 Sch. 4 para. 15(1)(a)
- s. 63(1A) inserted by 2010 asp 8 Sch. 4 para. 15(1)(b)
- s. 63(2)(a)(aa) substituted for s. 63(2)(a) by 2010 asp 8 Sch. 4 para. 15(1)(c)
- s. 63(3) text amended by 2010 asp 8 Sch. 4 para. 15(1)(d)
- s. 64 text amended by 2010 asp 8 Sch. 4 para. 17(1)
- s. 64 title text amended by 2010 asp 8 Sch. 4 para. 17(2)
- s. 65 text amended by 2010 asp 8 Sch. 4 para. 18
- s. 65(b) text amended by 2010 asp 8 Sch. 4 para. 18(c)
- s. 65(c) substituted by 2010 asp 8 Sch. 4 para. 18(d)
- s. 66 cross-heading text amended by 2010 asp 8 Sch. 4 para. 20(3)
- s. 66 title text amended by 2010 asp 8 Sch. 4 para. 20(2)
- s. 66(1) text amended by 2010 asp 8 Sch. 4 para. 20(1)(a)
- s. 66(2) text amended by 2010 asp 8 Sch. 4 para. 20(1)(b)
- s. 66(3) text amended by 2010 asp 8 Sch. 4 para. 20(1)(c)
- s. 66(4) text amended by 2010 asp 8 Sch. 4 para. 20(1)(d)
- s. 67-74 repealed by 2010 asp 8 Sch. 4 Pt. 2
- s. 75 title text amended by 2010 asp 8 Sch. 4 para. 21(2)
- s. 75(1) text amended by 2010 asp 8 Sch. 4 para. 21(1)(a)
- s. 75(2) text amended by 2010 asp 8 Sch. 4 para. 21(1)(b)
- s. 75(3)(a) text amended by 2010 asp 8 Sch. 4 para. 21(1)(c)
- s. 75(4)(a) text amended by 2010 asp 8 Sch. 4 para. 21(1)(a)
- s. 75(5) text amended by 2010 asp 8 Sch. 4 para. 21(1)(d)

- s. 75(6) text amended by 2010 asp 8 Sch. 4 para. 21(1)(c)
- s. 75(7) text amended by 2010 asp 8 Sch. 4 para. 21(1)(a)
- s. 76 repealed by 2010 asp 8 Sch. 4 Pt. 2
- s. 77(1) text amended by 2010 asp 8 Sch. 4 para. 22(a)
- s. 77(2) text amended by 2010 asp 8 Sch. 4 para. 22(b)
- s. 77(4)(b) substituted by 2010 asp 8 Sch. 4 para. 22(c)
- s. 78 text amended by 2010 asp 8 Sch. 4 para. 23
- s. 83(5) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 117(4) text amended by 2010 asp 8 Sch. 4 para. 25(a)
- s. 121(1) text amended by 2010 asp 8 Sch. 4 para. 25(a)
- s. 128(1) text amended by 2010 asp 8 Sch. 4 para. 26
- s. 128(1) text amended by 2010 asp 8 Sch. 4 Pt. 2
- s. 139(1)(c) text amended by 2010 asp 8 Sch. 4 para. 25(a)
- s. 145(1) text amended by 2010 asp 8 Sch. 4 para. 27
- s. 145(1) text amended by 2010 asp 8 Sch. 4 Pt. 2
- s. 157(1)(b) text amended by 2010 asp 8 Sch. 4 para. 25(a)
- s. 176(2) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 177(1) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 177(3)-(8) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 178(1) text amended by 2010 asp 8 Sch. 4 para. 28
- s. 178(1)-(4) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 179(1)-(4) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 180(1) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 181(1)(b) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 181(4) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 182(1) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 182(2) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 182(4) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 182(6)(b) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 183(1)(a) text amended by 2010 asp 8 Sch. 4 para. 25(a)
- s. 183(4)(b) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 183(11)(b) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 183(12)(b) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 184(1) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 184(2) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 184(4) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 184(5)(c) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 185(2)(b) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 185(4)(b) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 185(5) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 185(7) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 186(2)(b) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 186(3)(b) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 186(5)(c) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 187(1)(b) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 187(2)(a)(ii) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 187(3) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 188(4) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 189(1) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 189(2)(a) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 189(3)(b) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 189(5) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 189(6) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 189(7) repealed by 2010 asp 8 Sch. 4 Pt. 2
- s. 191(2)(b)(i) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 191(4) text amended by 2010 asp 8 Sch. 4 para. 24(2)
- s. 198(1) text amended by 2010 asp 8 Sch. 4 para. 29
- s. 198(1) text amended by 2010 asp 8 Sch. 4 Pt. 2

- s. 212(7) repealed by [2010 asp 8 Sch. 4 Pt. 2](#)
- s. 216(2A) inserted by [2010 asp 17 s. 152\(3\)](#)
- s. 216(3) text amended by [2010 asp 8 Sch. 4 para. 24\(2\)](#)
- s. 217(2) text amended by [2010 asp 8 Sch. 4 para. 24\(2\)](#)
- s. 221 text amended by [2010 asp 8 Sch. 4 para. 30](#)
- s. 221 text amended by [2010 asp 8 Sch. 4 Pt. 2](#)
- Sch. 1 para. 41(a) repealed by [2010 asp 8 Sch. 4 Pt. 2](#)
- Sch. 2 repealed by [2010 asp 8 Sch. 4 Pt. 2](#)
- Sch. 3 para. 1(j) text amended by [2010 asp 8 Sch. 4 para. 25\(b\)](#)
- Sch. 5 para. 6(4) repealed by [2010 asp 8 Sch. 4 Pt. 2](#)
- Sch. 5 para. 7(2)(a) repealed by [2010 asp 8 Sch. 4 Pt. 2](#)
- Sch. 5 para. 7(2)(b)(i)(ii) repealed by [2010 asp 8 Sch. 4 Pt. 2](#)
- Sch. 5 para. 7(3)(a) repealed by [2010 asp 8 Sch. 4 Pt. 2](#)
- Sch. 5 para. 7(4) repealed by [2010 asp 8 Sch. 4 Pt. 2](#)
- Sch. 5 para. 11 repealed by [2010 asp 8 Sch. 4 Pt. 2](#)
- Sch. 5 para. 16(14)(c) repealed by [2010 asp 8 Sch. 4 Pt. 2](#)
- Sch. 5 para. 21 repealed by [2010 asp 8 Sch. 4 Pt. 2](#)
- Sch. 5 para. 25 repealed by [2010 asp 8 Sch. 4 Pt. 2](#)
- Sch. 5 para. 27 repealed by [2010 asp 8 Sch. 4 Pt. 2](#)
- Sch. 5 para. 28 repealed by [2010 asp 8 Sch. 4 Pt. 2](#)
- Sch. 5 para. 30(8)(b) repealed by [2010 asp 8 Sch. 4 Pt. 2](#)
- Sch. 5 para. 30(13) repealed by [2010 asp 8 Sch. 4 Pt. 2](#)
- Sch. 5 para. 31 repealed by [2010 asp 8 Sch. 4 Pt. 2](#)
- Sch. 5 para. 33 repealed by [2010 asp 8 Sch. 4 Pt. 2](#)
- Sch. 6 text amended by [2010 asp 8 Sch. 4 Pt. 2](#)
- Sch. 6 Pt. 1 text amended by [2010 asp 8 Sch. 4 para. 32](#)

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

- Act applied (with modifications) by [S.I. 2011/245 Sch. 6 Pt. 1](#)
- Act modified by [S.I. 2010/2993 reg. 5](#)

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

- s. 63A inserted by [2010 asp 8 Sch. 4 para. 16](#)
- s. 65A inserted by [2010 asp 8 Sch. 4 para. 19](#)

Commencement Orders yet to be applied to the Bankruptcy and Diligence etc. (Scotland) Act 2007:

Commencement Orders bringing provisions within this Act into force:

- [S.S.I. 2010/249 art. 2 3](#) commences ([2007 asp 3](#))
- [S.S.I. 2011/31 art. 5](#) amendment to earlier commencing SSI 2008/115 and SSI 2009/67 and SSI 2009/369
- [S.S.I. 2011/179 art. 3](#) commences ([2007 asp 3](#))

Commencement Orders bringing legislation that affects this Act into force:

- [S.S.I. 2011/30 art. 3 Sch. 1 2](#) commences ([2010 asp 8](#))
- [S.S.I. 2011/96 art. 2 Sch.](#) commences ([2010 asp 17](#))