



Bankruptcy and Diligence etc. (Scotland) Act 2007

2007 asp 3

PART 4

LAND ATTACHMENT AND RESIDUAL ATTACHMENT

CHAPTER 2

ATTACHMENT OF LAND

Preparations for sale of attached land

106 Termination of debtor's right to occupy land

- (1) Where an order is made granting a warrant for sale, the creditor may, by notice served on—
 - (a) the debtor; and
 - (b) any other person having a right, derived from the debtor, to occupy the land to which the warrant relates,terminate, with effect from such day as the creditor specifies in the notice (being a day not less than 7 days after the date of service), any right of the debtor (or other person) to occupy that land.
- (2) A notice under subsection (1) above must be—
 - (a) in (or as nearly as may be in) the form prescribed by Act of Sederunt; and
 - (b) served on the debtor or, as the case may be, other person.
- (3) Any right of a person (other than the debtor) to occupy land which, before a notice of land attachment relating to the land was registered, would have been binding on a singular successor of the debtor is not affected by subsection (1) above.
- (4) A certificate, in (or as nearly as may be in) the form prescribed by Act of Sederunt, of service of a notice such as is mentioned in subsection (1) above may be registered.

Changes to legislation: There are currently no known outstanding effects for the Bankruptcy and Diligence etc. (Scotland) Act 2007, Section 106. (See end of Document for details)

Commencement Information

- II** [S. 106](#) partly in force; [s. 106](#) not in force at Royal Assent see [s. 227](#); [s. 106\(2\)\(4\)](#) in force for certain purposes at 1.4.2008 by [S.S.I. 2008/115](#), [art. 3\(4\)](#), [Sch. 3](#) (with [arts. 4-6, 10](#))

Changes to legislation:

There are currently no known outstanding effects for the Bankruptcy and Diligence etc. (Scotland) Act 2007, Section 106.