



Bankruptcy and Diligence etc. (Scotland) Act 2007

2007 asp 3

PART 4

LAND ATTACHMENT AND RESIDUAL ATTACHMENT

CHAPTER 2

ATTACHMENT OF LAND

Termination, discharge etc. of land attachment

121 Termination by payment etc.

- (1) If the full sum for payment of which the charge was served is, before the expiry of the period of 28 days mentioned in section 81(3) of this Act, either paid or tendered to the creditor, to a judicial officer or to any other person who has authority to receive payment on behalf of the creditor—
 - (a) the land attachment is not created; and
 - (b) the notice of land attachment ceases to have effect.
- (2) Subject to subsection (3) below, if the full sum recoverable by a land attachment is either paid or tendered to—
 - (a) any of the persons mentioned in subsection (1) above; or
 - (b) the appointed person,the land attachment ceases to have effect.
- (3) Subsection (2) above does not apply unless the sum is paid before—
 - (a) where a warrant for sale of the attached land (or part of it) is granted, a contract of sale of the attached land is concluded; or
 - (b) an extract of a decree of foreclosure in relation to the attached land (or part of it) is registered.