



Bankruptcy and Diligence etc. (Scotland) Act 2007

2007 asp 3

PART 4

LAND ATTACHMENT AND RESIDUAL ATTACHMENT

CHAPTER 3

RESIDUAL ATTACHMENT

Termination, discharge etc. of residual attachment

PROSPECTIVE

139 Termination by payment etc.

- (1) Subject to subsection (2) below, if the full sum recoverable by the residual attachment is either paid or tendered to—
- (a) the creditor;
 - (b) where one has been appointed, the appointed person; or
 - (c) [^{F1}an officer of court] or any other person who has authority to receive payment on behalf of the creditor,
- the residual attachment ceases to have effect.
- (2) Subsection (1) above does not apply unless the sum is paid or tendered before—
- (a) where a satisfaction order authorising sale of the attached property is made, a contract of sale of the attached property is concluded; or
 - (b) in any other case, the attached property is otherwise disposed of.

***Status:** This version of this provision is prospective.*

***Changes to legislation:** There are currently no known outstanding effects for the Bankruptcy and Diligence etc. (Scotland) Act 2007, Section 139. (See end of Document for details)*

Textual Amendments

- F1** Words in s. 139(1)(c) substituted (31.1.2011) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), [Sch. 4 para. 25\(a\)](#); S.S.I. 2011/30, art. 3(1)(3), Sch. 1

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Bankruptcy and Diligence etc. (Scotland) Act 2007, Section 139.