



Welfare Reform and Pensions Act 1999

1999 CHAPTER 30

PART II

PENSIONS: GENERAL

Pensions and bankruptcy

13 Sections 11 and 12: application to Scotland.

- (1) This section shall have effect for the purposes of the application of sections 11 and 12 to Scotland.
- (2) A reference to—
 - (a) the making of a bankruptcy order against a person is a reference to the award of sequestration on his estate or the making of the appointment on his estate of a judicial factor under section 41 of the ^{M1}Solicitors (Scotland) Act 1980;
 - (b) the estate of a person is a reference to his estate for the purposes of the ^{M2}Bankruptcy (Scotland) Act [^{F1}1985][^{F1}2016] or of the Solicitors (Scotland) Act 1980, as the case may be;
 - (c) assignment is a reference to assignation;
 - (d) a person's trustee in bankruptcy is a reference to his [^{F2}permanent trustee][^{F2}trustee or interim trustee in a sequestration under the Bankruptcy (Scotland) Act 2016] or judicial factor, as the case may be;
 - (e) the commencement of a person's bankruptcy is a reference to the date of sequestration (within the meaning of section [^{F3}12(4) of the Bankruptcy (Scotland) Act 1985][^{F3}22(7) of the Bankruptcy (Scotland) Act 2016]) or of the judicial factor's appointment taking effect, as the case may be.
- (3) For paragraph (b) of each of subsections (5) and (7) of section 11 there shall be substituted—
 - “(b) if later, the date of sequestration (within the meaning of section [^{F4}12(4) of the Bankruptcy (Scotland) Act 1985][^{F4}22(7) of the

Changes to legislation: There are currently no known outstanding effects for the Welfare Reform and Pensions Act 1999, Section 13. (See end of Document for details)

Bankruptcy (Scotland) Act 2016]) or of the judicial factor’s appointment taking effect, as the case may be.”

Textual Amendments

- F1** Word in s. 13(2)(b) substituted (30.11.2016) (S) by [The Bankruptcy \(Scotland\) Act 2016 \(Consequential Provisions and Modifications\) Order 2016 \(S.I. 2016/1034\)](#), art. 1, **Sch. 1 para. 19(2)(a)**
- F2** Words in s. 13(2)(d) substituted (30.11.2016) (S) by [The Bankruptcy \(Scotland\) Act 2016 \(Consequential Provisions and Modifications\) Order 2016 \(S.I. 2016/1034\)](#), art. 1, **Sch. 1 para. 19(2)(b)**
- F3** Words in s. 13(2)(e) substituted (30.11.2016) (S) by [The Bankruptcy \(Scotland\) Act 2016 \(Consequential Provisions and Modifications\) Order 2016 \(S.I. 2016/1034\)](#), art. 1, **Sch. 1 para. 19(2)(c)**
- F4** Words in s. 13(3) substituted (30.11.2016) (S) by [The Bankruptcy \(Scotland\) Act 2016 \(Consequential Provisions and Modifications\) Order 2016 \(S.I. 2016/1034\)](#), art. 1, **Sch. 1 para. 19(3)**

Modifications etc. (not altering text)

- C1** Ss. 11-13 modified (30.12.2005) by [Occupational Pension Schemes \(Cross-border Activities\) Regulations 2005 \(S.I. 2005/3381\)](#), regs. 1, 16, **Sch. 2 para. 5**

Commencement Information

- I1** S. 13 wholly in force at 6.4.2002; s. 13 in force for certain purposes at Royal Assent see s. 89(1)(5); s. 13(1)(2) in force for certain further purposes at 29.5.2000 by [S.I. 2000/1382](#), **art. 2(a)**; s. 13 in force at 6.4.2002 insofar as not already in force by [S.I. 2002/153](#), **art. 2(c)**

Marginal Citations

- M1** 1980 c. 46.
M2 1985 c. 66.

Changes to legislation:

There are currently no known outstanding effects for the Welfare Reform and Pensions Act 1999, Section 13.