



# Bankruptcy and Diligence etc. (Scotland) Act 2007

2007 asp 3

## PART 8

### ATTACHMENT OF MONEY

#### *General and miscellaneous*

#### **193      Unlawful acts after money attachment**

- (1) This section applies where—
  - (a) a money attachment has been executed; and
  - (b) the debtor—
    - (i) realises (or purports to realise) the value of an attached banking instrument;
    - (ii) otherwise relinquishes ownership of such an instrument; or
    - (iii) obtains (or attempts to obtain), by fraud or other dishonest means, a banking instrument in place of such an instrument.
- (2) The debtor is acting in breach of the money attachment.
- (3) A person who—
  - (a) assists a debtor to do anything mentioned in subsection (1)(b) above; and
  - (b) knows (or ought reasonably to know) that a money attachment has been executed against the debtor,is acting in breach of the money attachment.
- (4) A breach of the money attachment under subsection (2) or (3) above may be dealt with as a contempt of court.

**Changes to legislation:**

There are currently no known outstanding effects for the Bankruptcy and Diligence etc. (Scotland) Act 2007, Section 193.