



Bankruptcy (Scotland) Act 2016

2016 asp 21

PART 5

VESTING ETC.

Vesting

80 Property subject to restraint order

- (1) Subsection (2) applies where—
 - (a) property is excluded from the debtor's estate by virtue of section 420(2)(a) of the Proceeds of Crime Act 2002 (property subject to a restraint order),
 - (b) an order under section 50, 67A, 128, 131A, 198 or 215A of that Act has not been made in respect of the property,
 - (c) the restraint order is discharged, and
 - (d) immediately after the discharge of the restraint order the property is not detained under or by virtue of section 44A, 47J, 122A, 127J, 193A or 195J of that Act.
- (2) The property vests in the trustee in the sequestration as part of the debtor's estate.
- (3) But subsection (2) does not apply to the proceeds of property realised by a management receiver under section 49(2)(d) or 197(2)(d) of that Act (realisation of property to meet receiver's outlays and remuneration).