



Moveable Transactions (Scotland) Act 2023

2023 asp 3

PART 1 **S**

ASSIGNATION

CHAPTER 1 **S**

ASSIGNATION OF CLAIMS, PROTECTION OF DEBTORS AND RELATED MATTERS

Protection of debtors

PROSPECTIVE

11 Further provision as to protection of debtor **S**

- (1) [Subsection \(2\)](#) applies where—
- (a) the holder of a claim purports to assign the claim (or the same part of the claim) by means of more than one assignment document, each in favour of a different person,
 - (b) the claim (or part) is transferred to one of those persons,
 - (c) the debtor, or any co-debtor, receives notice of the purported assignment to the other (or, as the case may be, another) of those persons (the “purported assignee”), from the person who granted the purported assignment or from the purported assignee, in the manner mentioned in [section 8\(1\)\(a\)](#) or [\(b\)\(ii\)](#), and
 - (d) by virtue of that notice, the debtor, or any co-debtor, performs in good faith to the purported assignee.
- (2) The debtor, or (where there are two or more co-debtors) each of the co-debtors, is discharged from the claim (or part) to the extent of the performance.

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Moveable Transactions (Scotland) Act 2023, Section 11. (See end of Document for details)

(3) [Section 10\(3\)](#) applies for the purposes of [subsection \(2\)](#) as it applies for the purposes of [section 10\(2\)](#).

Commencement Information

II S. 11 not in force at Royal Assent, see [s. 121\(2\)](#)

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