



# Moveable Transactions (Scotland) Act 2023

2023 asp 3

## PART 1

### ASSIGNATION

#### CHAPTER 1

##### ASSIGNATION OF CLAIMS, PROTECTION OF DEBTORS AND RELATED MATTERS

###### *Protection of debtors*

PROSPECTIVE

#### **10 Protection of debtor who performs in good faith**

- (1) [Subsection \(2\)](#) applies where, after a claim is transferred, the debtor, or any co-debtor, performs in good faith to the person last known to the debtor, or that co-debtor, to be the holder of the claim.
- (2) The debtor, or (where there are two or more co-debtors) each of the co-debtors, is discharged from the claim to the extent of the performance.
- (3) For the purpose of [subsection \(2\)](#), it is not to be taken that a debtor, or any co-debtor, has performed other than in good faith by reason only of (any or all of)—
  - (a) an assignment document's having been registered,
  - (b) the application of [section 8\(9\)](#),
  - (c) the application of [section 8\(10\)](#).

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**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 10. (See end of Document for details)

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#### **Commencement Information**

**II** S. 10 not in force at Royal Assent, see [s. 121\(2\)](#)

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