



Moveable Transactions (Scotland) Act 2023

2023 asp 3

PART 1

ASSIGNATION

CHAPTER 1

ASSIGNATION OF CLAIMS, PROTECTION OF DEBTORS AND RELATED MATTERS

Assignment of claims

PROSPECTIVE

5 Assignment in part

- (1) A claim may be assigned in whole or in part.
- (2) But if the claim is not a monetary claim, the claim may be assigned in part only if the claim is divisible and either—
 - (a) the debtor consents, or
 - (b) the assignment is not likely to result in the obligation to which it relates becoming significantly more burdensome for the debtor.
- (3) Except in so far as the debtor agrees otherwise with the assignor, or agreed otherwise with a person who was previously the holder of the claim (when that person was the holder), the assignor is liable to the debtor for any expense incurred by the debtor which is attributable to the claim's being assigned in part rather than in whole.

Commencement Information

11 S. 5 not in force at Royal Assent, see [s. 121\(2\)](#)

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 5.