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SCOTTISH STATUTORY INSTRUMENTS

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**2007 No. 82 (C.11)**

**DEBT**

**DILIGENCE**

**The Bankruptcy and Diligence etc. (Scotland)  
Act 2007 (Commencement No. 1) Order 2007**

*Made - - - - 15th February 2007*

The Scottish Ministers, in exercise of the powers conferred by section 227(3) and (4) of the Bankruptcy and Diligence etc. (Scotland) Act 2007<sup>(1)</sup>, hereby make the following Order:

**Citation**

1. This Order may be cited as the Bankruptcy and Diligence etc. (Scotland) Act 2007 (Commencement No. 1) Order 2007.

**Interpretation**

2. In this Order, “the Act” means the Bankruptcy and Diligence etc. (Scotland) Act 2007.

**Appointed day in respect of debt arrangement**

3. The following provisions of the Act come into force on 8th March 2007:—
- (a) section 211;
  - (b) in section 212, subsections (2) to (6) and subsection (1) in so far as relating to those subsections;
  - (c) section 221; and
  - (d) section 223.

**Other appointed days**

4. The following provisions of the Act come into force on 31st March 2007:—
- (a) section 36 in so far as relating to paragraph 42(a) of schedule 1;
  - (b) in section 212, subsections (8) to (16) and subsection (1) in so far as relating to those subsections;

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(1) 2007 asp 3.

- (c) section 226(1) in so far as relating to the provisions of schedule 5 mentioned below;
- (d) paragraph 42(a) of schedule 1; and
- (e) in paragraph 30 of schedule 5—
  - (i) in so far as relating to attachments executed on or after 31st March 2007, sub paragraphs (5) to (8)(a) and (15); and
  - (ii) sub paragraphs (10) and (11)(a)(ii) and (b),and sub paragraph (1) in so far as relating to those sub paragraphs.

St Andrew's House,  
Edinburgh  
15th February 2007

*ALLAN WILSON*  
Authorised to sign by the Scottish Ministers

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force provisions of the [Bankruptcy and Diligence etc. \(Scotland\) Act 2007 \(asp 3\)](#) (“the Act”).

The Act received Royal Assent on 15th January 2007. Sections 224, 225 and 227 of the Act came into force on Royal Assent and section 222 came into force on the day after Royal Assent.

The provisions of the Act which are brought into force by this Order, other than sections 221 and 223 and paragraph 42(a) of schedule 1, amend the [Debt Arrangement and Attachment \(Scotland\) Act 2002 \(asp 17\)](#) which provides for the debt arrangement scheme and for the diligence of attachment of corporeal moveable property.

Sections 221 and 223 relate, respectively, to interpretation and to Crown application. Paragraph 42(a) of schedule 1 to the Act amends section 48 of the [Bankruptcy \(Scotland\) Act 1985 \(c. 66\)](#).