
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 249 (C. 13)

**DEBT
DILIGENCE**

**The Bankruptcy and Diligence etc. (Scotland) Act
2007 (Commencement No. 6 and Savings) Order 2010**

Made - - - - 16th June 2010

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 224(2) and 227(3) of the Bankruptcy and Diligence etc. (Scotland) Act 2007⁽¹⁾.

Citation

1. This Order may be cited as the Bankruptcy and Diligence etc. (Scotland) Act 2007 (Commencement No. 6 and Savings) Order 2010.

Appointed day – admiralty actions and arrestment of ships

2. Part 14 of and schedule 4 (admiralty actions and the arrestment of ships) to the Bankruptcy and Diligence etc. (Scotland) Act 2007 come into force on 1st July 2010.

Savings

3. Nothing in any provision brought into force by this Order has effect as regards—
- (a) an arrestment or attachment executed before 1st July 2010;
 - (b) an arrestment or attachment in execution of a decree granted before 1st July 2010; or
 - (c) an arrestment on the dependence or interim attachment for which authority or warrant was applied before 1st July 2010.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

St Andrew's House,
Edinburgh
16th June 2010

FERGUS EWING
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order brings into force Part 14 of and schedule 4 (admiralty actions and the arrestment of ships) to the Bankruptcy and Diligence etc. (Scotland) Act 2007 (asp 3) (“the Act”), subject to savings arrangements.

Article 3 sets out a savings provision ensuring that no modifications to enactments as a result of the commencement of this Order have effect on any arrestment or attachment executed before 1st July 2010; any arrestment or attachment in execution of a decree which was granted before 1st July 2010; or any arrestment on the dependence or interim attachment, where authority or warrant was applied for before 1st July 2010.

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.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.S.I. No.</i> |
|------------------------------------------------------------------------------------|-----------------------------|-------------------|
| s.211 | 8th March 2007 | 2007/82 |
| s.212(1), (2) to (6) (partially) | | |
| s.221 | | |
| s.223 | | |
| s.36 (partially) | 31st March 2007 | 2007/82 |
| s.212(1), (8) to (16) (partially) | | |
| s.226(1) (partially) | | |
| sch. 1, para. 42(a) | | |
| sch. 5, para. 30(1), (5) to (8)(a), (10), (11)(a)(ii) and (b) and (15) (partially) | | |
| s.20 | 19th February 2008 | 2008/45 |
| s.35 | | |
| ss.1 to 17 | 1st April 2008 | 2008/115 |
| s.18(1) to (4) | | |
| ss.19 and 20 | | |
| ss.22 to 24 | | |
| s.25(a) | | |
| s.25(b) (partially) | | |
| s.36 (partially) | | |

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| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.S.I. No.</i> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------|
| s.169 (partially) | | |
| ss.170 and 171 | | |
| s.173 | | |
| ss.199 to 205 | | |
| s.206 (partially) | | |
| s.208 | | |
| ss.209 and 210 | | |
| sch.1, paras. 1 to 40 | | |
| sch.1, para. 41(b) | | |
| sch.1, paras. 42 and 43 | | |
| sch.1, para. 44(partially) | | |
| sch.1, paras. 45 to 62 | | |
| sch.5, para. 10 (partially) | | |
| sch.5, para. 12 | | |
| sch.5, para. 13 (partially) | | |
| sch.5, para. 16 (partially) | | |
| sch. 5, para. 26 (partially) | | |
| sch. 5, para. 30 (partially) | | |
| sch. 6, Part 1 (partially) | | |
| sch. 6, Part 2 | | |
| ss.21(3), (4) and (7), 25(a), 37(7) and (8), 50(4) and (5), 58(5)(c), 61(1), (2) and (3), 63(1) and (2), 75(7), 81(7), 83(1)(a) and (3)(b), 88(3) (a), 91(2), (3)(b), (4)(a), (4)(c)(vi), (5)(f) and (7), 96(5), 97(7), 98(6), 106(2) and (4), 108(2) and (8), 111(2)(b), 113(2)(a), 114(4), 117(2), (7)(b) and (8)(a), 120(5), 123(2)(a) and (5), 124(2), 128(3), 129, 130(2)(a), 133(2)(a), 135(2)(a) and (d)(ii), 140(2)(a) and (5), 143(5), 145(2), 146(9), 148(3), 149, 162, 164(1) and (2), 175(3), 176(1)(c), 179(2)(a)(i), 182(2)(a), 183(3)(a) and (7)(a), 185(4), 188(4)(a), 189(3) (a), 196(2), 198(2), 206, 214(4), 215, 216(6), 217(1)(c), 220, sch. 2, para. 22, sch. 3, para. 4, sch. 5, para. 13(3)(f) and (g), sch. 5, para. 30(4) (for the purposes of making regulations or orders) | | |
| ss.146 to 164 | 22nd April 2009 | 2009/67 |
| s.165(1), (3) and (4) | | |
| s.166 to 168 | | |

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.S.I. No.</i> |
|-------------------------------------------------------------------------|-----------------------------|-------------------|
| s.169 (partially) | | |
| s.206 (partially) | | |
| sch. 5, para. 5 | | |
| sch. 5, para. 7 (partially) | | |
| sch. 5, para. 13 (partially) | | |
| sch. 5, para. 16 (partially) | | |
| sch. 5, para. 18 (partially) | | |
| sch. 5, para. 22 (partially) | | |
| sch. 5, para. 29 (partially) | | |
| sch. 5, para. 30 (partially) | | |
| sch. 6, Part 1 (partially) | | |
| ss. 174 to 198 | 23rd November 2009 | 2009/369 |
| s.226(1) (partially) | | |
| sch 3 | | |
| sch 5, para. 1 to 2 | | |
| sch 5, para. 4 (partially) | | |
| sch 5, para. 6(1) and (2) (partially) | | |
| sch 5, para. 8 to 9 | | |
| sch 5, para. 10 (partially) | | |
| sch 5, para. 13(1) and (3)(c)(i) and (d)(i), (iii) and (iv) (partially) | | |
| sch 5, para. 15 | | |
| sch 5, para. 16(1), (2)(a) and (4) (partially) | | |
| sch 5, para. 16(7)(a)(iii) | | |
| sch 5, para. 16(8)(a) and (11)(2) and (b) (partially) | | |
| sch 5, para. 17 | | |
| sch 5, para. 19 to 20 | | |
| sch 5, para. 23 to 24 | | |
| sch 5, para. 26(1) (partially) | | |
| sch 5, para. 26(2) | | |
| sch 5, para. 26(3) (partially) | | |
| sch 5, para. 30(1) (partially) | | |
| sch 5, para. 30(3) | | |
| sch 5, para. 32 | | |

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