Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Bankruptcy and Diligence etc. (Scotland) Act 2007 (Inhibition) Order 2009 No. 129

SCHEDULE Article 3

Form of Notice of Decree following limited inhibition on the dependence under section 15J(b) of the Debtors (Scotland) Act 1987

Notice of Decree - following limited inhibition on the dependence under section 15J(b) of Debtors (Scotland) Act 1987

Court ref:

To: The Keeper of the Registers of Scotland

I, (Inhibitor) give notice that a decree was granted on (date) at (insert applicable Sheriff Court or the Court of Session) in the action by (pursuer's name and designation) against (defender's name and designation) ("the debtor").

Warrant for Inhibition on the Dependence of this action was previously granted and registered in the Register of Inhibitions on (date). This Warrant was limited under section 15J(b) of the Debtors (Scotland) Act 1987 (inserted by section 169 of the Bankruptcy and Diligence etc. (Scotland) Act 2007) to have effect against the debtor's property at (place).

This Notice is accompanied by an extract of the decree, or a copy interlocutor certified by the clerk of court, for registration in the Register of Inhibitions.

(Signed)

Agent for the Inhibitor/Inhibitor*

(Address)

On behalf of

(Name and Address of Inhibitor)

Dated:

NOTE

Under section 152 of the Bankruptey and Diligence etc. (Scotland) Act 2007, any inhibition on the dependence limited to specified property which, on decree, becomes an inhibition in execution of that decree, is no longer limited to that property, and so has effect against all of the debtor's land and heritable property. This widened effect takes place from the beginning of the date of registration of the extract decree, or copy interlocutor certified by the clerk of court, together with this Notice.

^{*} Delete where not applicable.