

SCHEDULE 1

Article 3(2) and (3)

Provisions of schedule 5 (minor and consequential amendments) coming into force on 1st April 2008

<i>Column 1 – provisions</i>	<i>Column 2 – purpose</i>
1. Paragraph 10 (the Sheriff Courts (Scotland) Act 1971) (1)	For the purpose of substituting “an interim attachment, an attachment”
2. Paragraph 12 (the Civil Jurisdiction and Judgments Act 1982) (2)	
3. In paragraph 13 (the Bankruptcy (Scotland) Act 1985) (3) –	
(a) (a) sub-paragraph (1)	For the purposes of the provisions commenced in this Order
(b) (b) sub-paragraph (2)	
(c) (c) sub-paragraph (3)(a)	
(d) (d) sub-paragraph (3)(c)(i), (d)(i), and (d)(iv)	For the purpose of inserting “, interim attachment”
(e) (e) sub-paragraph (3)(c)(ii)	
(f) (f) sub-paragraph (3)(d)(ii)	
4. In paragraph 16 (the Debtors (Scotland) Act 1987) (4) –	
(a) (a) sub-paragraph (1)	For the purposes of the provisions commenced in this Order
(b) (b) sub-paragraph (2)(c)	For the purposes of the insertion of section 2(2B) of the 1987 Act
(c) (c) sub-paragraph (2)(d) and (e)	
(d) (d) sub-paragraph (3)	
(e) (e) sub-paragraph (4)(a)	For the purposes of the substitution of section 5(5)(a) of the 1987 Act
(f) (f) sub-paragraph (7)(a)(i)	
(g) (g) sub-paragraph (8)(b)	For the purposes of the insertion of section 9(2)(cb) of the 1987 Act
(h) (h) sub-paragraph (8)(d)	
(i) (i) sub-paragraph (8)(e)(ii)	
(j) (j) sub-paragraph (8)(g)	
(k) (k) sub-paragraph (8)(i)	

(1) 1971 c. 58.

(2) 1982 c. 27.

(3) 1985 c. 66.

(4) 1987 c. 18.

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<i>Column 1 – provisions</i>	<i>Column 2 – purpose</i>
(l) (l) sub-paragraph (9)	
(m) (m) sub-paragraph (10)	
(n) (n) sub-paragraph (12)	
(o) (o) sub-paragraph (13)	
(p) (p) sub-paragraph (14)(a) and (b)	
5. In paragraph 26 (the Water Industry (Scotland) Act 2002)(5)–	
(a) (a) sub-paragraph (1)	For the purposes of the provision commenced in this Order
(b) (b) sub-paragraph (3)	For the purposes of the insertion of the reference to section 39(1) of the Debt Arrangement and Attachment (Scotland) Act 2002
6. In paragraph 30 (the Debt Arrangement and Attachment (Scotland) Act 2002)(6)–	
(a) (a) sub-paragraph (1)	For the purposes of the provisions commenced in this Order
(b) (b) sub-paragraph (2)	
(c) (c) sub-paragraph (12)	
(d) (d) sub-paragraph (14)	

SCHEDULE 2

Article 3(2) and (3)

Repeals in schedule 6 coming into force on 1st April 2008

<i>Column 1 – repeal</i>	<i>Column 2 – purpose</i>
1. In the entry in Part 1 in respect of the Debtors (Scotland) Act 1838(7)–	
(a) (a) section 17	
(b) (b) section 22	for the purpose of diligence on the dependence
2. The entry in Part 1 in respect of the Hypothec Amendment (Scotland) Act 1867(8).	
3. The entry in Part 1 in respect of the Hypothec Abolition (Scotland) Act 1880(9).	

(5) 2002 asp 3.

(6) 2002 asp 17.

(7) 1838 c. 114.

(8) 1867 c. 42.

(9) 1880 c. 12.

<i>Column 1 – repeal</i>	<i>Column 2 – purpose</i>
4. The entry in Part 1 in respect of the Judicial Factors (Scotland) Act 1889 (10) .	
5. The entry in Part 1 in respect of the Sheriff Courts (Scotland) Act 1971 (11) .	
6. The entry in Part 1 in respect of the Sale of Goods Act 1979 (12) .	
7. The entry in Part 1 in respect of the Family Law (Scotland) Act 1985 (13) .	for the purpose of diligence on the dependence
8. The entries in Part 1 in respect of the 1985 Act, other than– (a) (a) the repeal of section 7(1)(c)(iv); (b) (b) the repeals in section 14 (but not the repeal in subsection (4) of “permanent”); (c) (c) the repeal in section 15(5)(a); (d) (d) the repeal in section 17(8)(a); (e) (e) the repeal in section 31(2) of “(reserving the effect of such inhibition on ranking”); (f) (f) in respect of section 37– (i) the repeal of subsection (1)(a); and (ii) in subsection (2) the repeals of “which” and “shall be effectual to create a preference for the inhibitor and” (iii) the repeal in subsection (8); (g) (g) the repeal in section 54(7)(a) of “and adjudications”; (h) (h) the repeal in Schedule 5, paragraph 2(1) of “and adjudications”.	
9. The entry in Part 1 in respect of the Insolvency Act 1986 (14) .	
10. In the entry in Part 1 in respect of the 1987 Act, the repeals of– (a) (a) section 8(3); (b) (b) in section 9(8), “to grant”; (c) (c) paragraph 3 of Schedule 6.	for the purpose of diligence on the dependence

(10) 1889 c. 39.
(11) 1971 c. 58.
(12) 1979 c. 54.
(13) 1985 c. 37.
(14) 1986 c. 45.

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<i>Column 1 – repeal</i>	<i>Column 2 – purpose</i>
11. In the entry in Part 1 in respect of the Proceeds of Crime Act 2002(15), the repeal of section 285(7)	for the purpose of the abolition of sequestration for rent
12. In the entry in Part 1 in respect of the 2002 Act, the repeals of–	
(a) (a) section 4(2A)(d)	
(b) (b) section 60(1), (2)(b), (4) and (5)	
13. Part 2 (revocation).	

SCHEDULE 3

Article 3(4)

Provisions of the Act coming into force on 1st April 2008
only for the purpose of making regulations or orders

<i>Column 1 – provisions of the Act</i>	<i>Column 2 – enabling power inserted by the Act</i>
Section 21(3), (4) and (7)	Schedule 4 to the 1985 Act, paragraphs 4(c), 5 and 11(3), 8A(1) and (2)
Section 25(a)	the 1985 Act, section 5(2B)(a)
Section 37(7) and (8)	
Section 50(4) and (5)	
Section 58(5)(c)	
Section 61(1), (2) and (3)	
Section 63(1) and (2)	
Section 75(7)	
Section 81(7)	
Section 83(1)(a)	
Section 83(3)(b)	
Section 88(3)(a)	
Section 91(2)	
Section 92(2), (3)(b), (4)(a), (4)(c)(vi), (5)(f) and (7)	
Section 96(5)	
Section 97(7)	
Section 98(6)	
Section 106(2) and (4)	

(15) 2002 c. 29.

<i>Column 1 – provisions of the Act</i>	<i>Column 2 – enabling power inserted by the Act</i>
Section 108(2) and (8)	
Section 111(2)(b)	
Section 113(2)(a)	
Section 114(4)	
Section 117(2), (7)(b) and (8)(a)	
Section 120(5)	
Section 123(2)(a) and (5)	
Section 124(3)	
Section 128(3)	
Section 129	
Section 130(2)(a)	
Section 133(2)(a)	
Section 135(2)(a) and (d)(ii)	
Section 140(2)(a) and (5)	
Section 143(5)	
Section 145(2)	
Section 146(9)	
Section 148(3)	
Section 149	Section 155(4) of the Titles to Land Consolidation (Scotland) Act 1868 (c. 101)
Section 162	Section 159A(3) of that Act
Section 164(1) and (2)	Sections 159 and 159B of that Act
Section 175(3)	
Section 176(1)(c)	
Section 179(2)(a)(i)	
Section 182(2)(a)	
Section 183(3)(a) and (7)(a)	
Section 185(4)	
Section 188(4)(a)	
Section 189(3)(a)	
Section 196(2)	
Section 198(2)	
Section 206	Sections 73A(5), 73B(2), 73C(2), 73E(3), 73F(6), 73G(2), 73H(1) and (2), 73M(2)(a), 73Q(3)(a), 73S(1) and (2) of the 1987 Act

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<i>Column 1 – provisions of the Act</i>	<i>Column 2 – enabling power inserted by the Act</i>
Section 214(4)	
Section 215	
Section 216(6)	
Section 217(1)(c)	
Section 220	
Schedule 2, paragraph 22	
Schedule 3, paragraph 4	
Schedule 5, paragraph 13(3)(f) and (g)	Section 37(8F) and (10) of the 1985 Act
Schedule 5, paragraph 30(4)	Section 13A(2)(a) of the 2002 Act
