
SCOTTISH STATUTORY INSTRUMENTS

2023 No. 9

**INSOLVENCY
BANKRUPTCY
DEBT**

**The Bankruptcy and Debt Arrangement Scheme
(Miscellaneous Amendment) (Scotland) Regulations 2023**

Made - - - - *17th January 2023*

Coming into force - - *6th February 2023*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 5(4) and 7 of the Debt Arrangement and Attachment (Scotland) Act 2002⁽¹⁾, sections 2(5) and 205(1) of the Bankruptcy (Scotland) Act 2016⁽²⁾ and all other powers enabling them to do so.

A draft of these Regulations has been laid before and approved by resolution of the Scottish Parliament in accordance with section 225(4) of the Bankruptcy (Scotland) Act 2016⁽³⁾.

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- (1) [2002 asp 17](#) (“the 2002 Act”). Section 5(4) of the 2002 Act was amended by the Bankruptcy and Diligence etc. (Scotland) Act 2007 ([asp 3](#)) (“the 2007 Act”), section 212. Section 7 was amended by the 2007 Act, section 212 and by the Bankruptcy and Debt Advice (Scotland) Act 2014 ([asp 11](#)), sections 3 and 53. Section 9(1) of the 2002 Act contains a definition of “prescribed” relevant to the exercise of statutory powers under which these Regulations are made.
- (2) [2016 asp 21](#) (“the 2016 Act”). Section 228(1) of the 2016 Act contains a definition of “prescribed” relevant to the exercise of statutory powers under which these Regulations are made.
- (3) The powers to make these Regulations are exercised together by virtue of section 33(2) of the Interpretation and Legislative Reform (Scotland) Act 2010 ([asp 10](#)). These Regulations are subject to the affirmative procedure by virtue of section 33(3) of that Act.