



Economic Crime and Corporate Transparency Act 2023

2023 CHAPTER 56

PART 2

PARTNERSHIPS

CHAPTER 1

LIMITED PARTNERSHIPS ETC.

Dissolution, winding up and sequestration

135 Sequestration of limited partnerships: concurrent winding up proceedings

- (1) The Bankruptcy (Scotland) Act 2016 is amended as follows.
- (2) In section 17 (concurrent proceedings for sequestration or analogous remedy)—
 - (a) in subsection (2)(b), after “awarded” insert “and the debtor’s estate is being sequestrated”;
 - (b) in subsection (2)(c)—
 - (i) omit “has been made”;
 - (ii) after “estate” insert “is pending”;
 - (c) in subsection (2)(d), after “application” insert “and the debtor’s estate is being sequestrated”;
 - (d) in subsection (2)(g), after “under” insert “section 28 of the Limited Partnerships Act 1907,”;
 - (e) after subsection (2)(g) insert—
 - “(ga) such a petition has been granted,
 - (gb) an application in respect of the debtor is before a court under section 29 of the Limited Partnerships Act 1907,

Changes to legislation: There are currently no known outstanding effects for the Economic Crime and Corporate Transparency Act 2023, Section 135. (See end of Document for details)

- (gc) such an application has been granted,”;
- (f) after subsection (7) insert—
- “(7A) For the purposes of subsection (2)(c), a debtor application is “pending” if it has been made and has not fallen, been withdrawn or been determined.”
- (3) In section 18 (powers in relation to concurrent proceedings)—
- (a) in subsection (1), for “(g)” substitute “(gc)”;
 - (b) in subsection (2), for “or (g)” substitute “, (g), (ga), (gb) or (gc)”;
 - (c) in subsection (8), for “(g)” substitute “(gc)”.

Commencement Information

II S. 135 in force at Royal Assent for specified purposes, see **s. 219(1)(2)(b)**

Changes to legislation:

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