
STATUTORY INSTRUMENTS

2009 No. 729

The Title Conditions (Scotland) Act 2003
(Development Management Scheme) Order 2009

PART 4

Rights of creditors

Conditions referred to in article 12

13. The conditions referred to in article 12(1) are that—

- (a) the debt is constituted by—
 - (i) decree; or
 - (ii) a document which has been registered for execution in the Books of Council and Session or, as the case may be, in the appropriate sheriff court books kept for any sheriffdom; and
- (b) either—
 - (i) the creditor has executed diligence but has not recovered the debt in full; or
 - (ii) it does not appear that the association has any assets which reasonably could be recovered by diligence.