



Bankruptcy and Diligence etc. (Scotland) Act 2007

2007 asp 3

PART 4

LAND ATTACHMENT AND RESIDUAL ATTACHMENT

CHAPTER 2

ATTACHMENT OF LAND

Preparations for sale of attached land

PROSPECTIVE

104 Supplementary orders as respects sale

- (1) The sheriff may, either when making an order granting a warrant for sale or subsequently, make such order as appears to the sheriff to be appropriate in connection with the sale of the attached land.
- (2) In particular, the sheriff may, on the application of the appointed person—
 - (a) extend the period specified in the warrant granted under section 97(2) of this Act within which the land is to be sold;
 - (b) remove that appointed person and appoint another solicitor as the appointed person; and
 - (c) on the application of the creditor, the debtor or any other person appearing to the sheriff to have an interest—
 - (i) in a case where the appointed person has died, appoint another solicitor as the appointed person;
 - (ii) in a case where the appointed person is unable to carry out the appointed person's functions due to ill health or incapacity, remove that person and appoint another solicitor as appointed person;

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Bankruptcy and Diligence etc. (Scotland) Act 2007, Section 104. (See end of Document for details)

(iii) in any other case, on cause shown, so remove and appoint.

- (3) An order made under this section after the grant of a warrant for sale must be intimated by the creditor—
- (a) in such form and manner;
 - (b) before the expiry of such period; and
 - (c) to the debtor and such other persons,
- as the sheriff may direct.

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Bankruptcy and Diligence etc. (Scotland) Act 2007, Section 104.