



Bankruptcy and Diligence etc. (Scotland) Act 2007

2007 asp 3

PART 5

INHIBITION

Effect

152 Effect of conversion of limited inhibition on the dependence to inhibition in execution

[^{F1}(1^{F1})] [^{F2}Subject to subsection (2) below,]^{F2} where—

- (a) a creditor obtains a decree for payment of all or part of a principal sum concluded or craved for in proceedings on the dependence of which warrant for inhibition was granted; and
- (b) the warrant was limited to specified property by virtue of section 15J(b) of the 1987 Act (property affected by inhibition on dependence),

[^{F3}any inhibition on the dependence which, on decree, becomes an inhibition in execution of that decree, is no longer limited to that property]

[^{F4F3}(2) Subsection (1) above has effect from the beginning of the day on which—

- (a) an extract of the decree (or a copy of the interlocutor certified by the clerk of court); and
- (b) a notice in (or as nearly as may be in) the form set out in the Schedule to the Bankruptcy and Diligence etc. (Scotland) Act 2007 (Inhibition) Order 2009,

are registered in the Register of Inhibitions.^{F4}]

Textual Amendments

- F1** S. 152 renumbered as s. 152(1) (22.4.2009) by The Bankruptcy and Diligence etc. (Scotland) Act 2007 (Inhibition) Order (S.S.I. 2009/219), {art. 2(a)}
- F2** Words in s. 152(1) inserted (22.4.2009) by The Bankruptcy and Diligence etc. (Scotland) Act 2007 (Inhibition) Order (S.S.I. 2009/219), {art. 2(b)}

Changes to legislation: There are currently no known outstanding effects for the Bankruptcy and Diligence etc. (Scotland) Act 2007, Section 152. (See end of Document for details)

- F3** Words in [s. 152\(1\)](#) substituted (22.4.2009) by The Bankruptcy and Diligence etc. (Scotland) Act 2007 (Inhibition) Order ([S.S.I. 2009/219](#)), {art. 2(b)}
- F4** [S. 152\(2\)](#) inserted (22.4.2009) by The Bankruptcy and Diligence etc. (Scotland) Act 2007 (Inhibition) Order ([S.S.I. 2009/219](#)), {art. 2(c)} (with transitional modifications in art. 4)

Changes to legislation:

There are currently no known outstanding effects for the Bankruptcy and Diligence etc. (Scotland) Act 2007, Section 152.