



# Bankruptcy and Diligence etc. (Scotland) Act 2007

2007 asp 3

## PART 5

### INHIBITION

#### *General and miscellaneous*

#### **165 Expenses of inhibition**

- (1) Subject to subsection (3) below, the inhibition expenses are chargeable against the debtor.
- (2) Inhibition expenses are recoverable from the debtor by land attachment or residual attachment executed for the purpose of enforcing payment of the debt to which the inhibition relates but not by any other legal process.
- (3) Where a creditor has executed an inhibition, the expenses of only one further inhibition in relation to the debt to which the first inhibition relates are chargeable against the debtor as inhibition expenses.
- (4) For the purposes of a sequestration or other process in which there is ranking, the inhibition expenses must be treated as part of the debt constituted by the decree or document of debt authorising the inhibition.

#### **Commencement Information**

- II** [S. 165](#) partly in force; [s. 165](#) not in force at Royal Assent see [s. 227](#); [s. 165\(1\)\(3\)\(4\)](#) in force at 22.4.2009 by [S.S.I. 2009/67](#), [art. 3](#) (with transitional modifications and savings in [arts. 4-6](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Bankruptcy and Diligence etc. (Scotland) Act 2007, Section 165.