



Bankruptcy and Diligence etc. (Scotland) Act 2007

2007 asp 3

PART 8

ATTACHMENT OF MONEY

Release of money attached

187 Termination of money attachment

- (1) A money attachment ceases to have effect on the expiry of the period of 14 days beginning with the day on which the report of money attachment is made unless, within that period, the creditor—
 - (a) applies for a payment order; and
 - (b) sends a copy of the application to the [^{F1}officer of court] under section 183(4)(b) of this Act.
- (2) A money attachment ceases to have effect if the sum recoverable by the money attachment is—
 - (a) paid to—
 - (i) the creditor;
 - (ii) the [^{F2}officer of court]; or
 - (iii) any other person who has authority to receive payment on behalf of the creditor; or
 - (b) tendered to any of those persons and the tender is not accepted within a reasonable time.
- (3) Where a money attachment ceases to have effect by virtue of subsection (1) or (2) above, the [^{F3}officer of court] must return money attached or, where the value of any such money has been realised, a sum equivalent to that value, to the debtor.

Changes to legislation: There are currently no known outstanding effects for the Bankruptcy and Diligence etc. (Scotland) Act 2007, Section 187. (See end of Document for details)

Textual Amendments

- F1** Words in s. 187(1)(b) substituted (31.1.2011) by Public Services Reform (Scotland) Act 2010 (asp 8), s. 134(7), **Sch. 4 para. 24(2)**; S.S.I. 2011/30, art. 3(1)(3), Sch. 1
- F2** Words in s. 187(2)(a)(ii) substituted (31.1.2011) by Public Services Reform (Scotland) Act 2010 (asp 8), s. 134(7), **Sch. 4 para. 24(2)**; S.S.I. 2011/30, art. 3(1)(3), Sch. 1
- F3** Words in s. 187(3) substituted (31.1.2011) by Public Services Reform (Scotland) Act 2010 (asp 8), s. 134(7), **Sch. 4 para. 24(2)**; S.S.I. 2011/30, art. 3(1)(3), Sch. 1

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There are currently no known outstanding effects for the Bankruptcy and Diligence etc. (Scotland) Act 2007, Section 187.