



# 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 judicial officer 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 judicial officer; 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 judicial officer must return money attached or, where the value of any such money has been realised, a sum equivalent to that value, to the debtor.