



Bankruptcy and Diligence etc. (Scotland) Act 2007

2007 asp 3

PART 4

LAND ATTACHMENT AND RESIDUAL ATTACHMENT

CHAPTER 2

ATTACHMENT OF LAND

Land attachment

82 Attachable land

- (1) In this Chapter, “land” means—
 - (a) land (including buildings and other structures and land covered with water) owned by the debtor; and
 - (b) a long lease of land in relation to which the debtor is the tenant.
- (2) It is not competent to create a land attachment over—
 - (a) land—
 - (i) to which a title has never been registered; or
 - (ii) to which the debtor does not have a registered title;
 - (b) a proper liferent in relation to which the debtor is the liferenter; or
 - (c) a long lease which is not assignable.
- (3) Subsection (2)(c) above does not apply to a lease which is assignable only with the consent of the landlord, whether or not it is a condition of the lease that consent must not be withheld unreasonably.