



# Coronavirus (Recovery and Reform) (Scotland) Act 2022

## 2022 asp 8

### PART 3

#### PUBLIC SERVICE REFORM

##### *Diligence*

#### **22 Bank arrestments: protected minimum balance**

- (1) The Debtors (Scotland) Act 1987 is modified by subsection (2).
- (2) In section 73F (protection of minimum balance in certain bank accounts)—
  - (a) in subsection (3), for “mentioned in subsection (4) below” substitute “of £1,000”,
  - (b) subsection (4) is repealed,
  - (c) in subsection (6)—
    - (i) the “and” at the end of paragraph (a)(ii) is repealed,
    - (ii) after paragraph (a), insert—
      - “(aa) vary the protected minimum sum mentioned in subsection (3)(a), and”.
- (3) The modifications made by subsection (2) have no effect in relation to an arrestment executed before 1 November 2022.

#### **Commencement Information**

**II** [S. 22](#) in force at 1.11.2022, see [s. 59\(1\)](#)

#### **23 Period of moratorium on diligence**

- (1) Section 198 of the Bankruptcy (Scotland) Act 2016 (period of moratorium) is modified as follows.

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*Changes to legislation: There are currently no known outstanding effects for the Coronavirus (Recovery and Reform) (Scotland) Act 2022, Cross Heading: Diligence. (See end of Document for details)*

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- (2) In each of the following, for “6 weeks” substitute “6 months”—
- (a) subsection (1)(b)(i),
  - (b) subsection (3),
  - (c) subsection (5),
  - (d) subsection (7).
- (3) In subsection (6)(b), for “13 weeks after the day on which the moratorium began under subsection (1)(a)” substitute “7 weeks after the day on which the moratorium would have ended but for this subsection”.

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**Commencement Information**

**I2** S. 23 in force at 1.10.2022, see s. 59(1)

**24 Power to amend period of moratorium on diligence**

- (1) The Bankruptcy (Scotland) Act 2016 is modified as follows.
- (2) In section 198 (period of moratorium), after subsection (8), insert—
- “(9) The Scottish Ministers may by regulations modify this section so as to vary any of the periods specified in subsections (1)(b)(i), (3), (5), (6)(b) or (7).”.
- (3) In section 225 (regulations: general), in subsection (4)(a), after “194(1)” insert “, 198(9)”.

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**Commencement Information**

**I3** S. 24 in force at 1.10.2022, see s. 59(1)

**Changes to legislation:**

There are currently no known outstanding effects for the Coronavirus (Recovery and Reform) (Scotland) Act 2022, Cross Heading: Diligence.