



Debtors (Scotland) Act 1987

1987 CHAPTER 18

PART I

EXTENSION OF TIME TO PAY DEBTS

Miscellaneous

13 Saving of creditor's rights and remedies.

(1) No right or remedy of a creditor to enforce his debt shall be affected by—

- (a) a time to pay direction;
 - (b) a time to pay order; or
 - (c) an interim order under section 6(3) of this Act,
- except as expressly provided in this Part of this Act.

(2) The recall—

- (a) on the making of a time to pay direction or an order under section 3(1) of this Act, of an arrestment; or
- (b) on the making of a time to pay order or an order under section 10(1) of this Act, of an arrestment or [^{F1}an attachment] ,

shall not prevent the creditor therein from being ranked by virtue of that arrestment or [^{F2}attachment] *pari passu* under paragraph [^{F3}1 of schedule 7 of the Bankruptcy (Scotland) Act 2016] on the proceeds of any other arrestment or [^{F2}attachment] .

Textual Amendments

- F1** Words in s. 13(2)(b) substituted (30.12.2002) by [Debt Arrangement and Attachment \(Scotland\) Act 2002 \(asp 17\)](#), s. 61, [Sch. 3 Pt. 1 para. 17\(6\)\(a\)](#) (with s. 63)
- F2** Word in s. 13(2) substituted (30.12.2002) by [Debt Arrangement and Attachment \(Scotland\) Act 2002 \(asp 17\)](#), s. 61, [Sch. 3 Pt. 1 para. 17\(6\)\(b\)](#) (with s. 63)
- F3** Words in s. 13(2) substituted (30.11.2016) by [Bankruptcy \(Scotland\) Act 2016 \(asp 21\)](#), s. 237(2), [sch. 8 para. 11\(3\)](#) (with ss. 232, 234(3), 235, 236); S.S.I. 2016/294, reg. 2

Changes to legislation:

Debtors (Scotland) Act 1987, Section 13 is up to date with all changes known to be in force on or before 27 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 13(2) word substituted by [2007 asp 3 Sch. 5 para. 16\(10\)](#) (This amendment not applied to legislation.gov.uk. Words already substituted (30.12.2002) by 2002 asp 17, s. 61, Sch. 3 Pt. 1 para. 17(6))

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2018/1125 reg. 8](#) (This amendment not applied to legislation.gov.uk. S.I. 2018/1125, reg. 8 omitted (31.12.2020) by virtue of Private International Law (Implementation of Agreements) Act 2020 (c. 24), s. 4(3), Sch. 5 para. 4(4))

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 8(1)(d)(e) substituted for s. 8(1)(d) by [2007 asp 3 Sch. 5 para. 16\(7\)\(a\)\(v\)](#)