



Bankruptcy and Diligence etc. (Scotland) Act 2007

2007 asp 3

PART 4

LAND ATTACHMENT AND RESIDUAL ATTACHMENT

CHAPTER 2

ATTACHMENT OF LAND

Preparations for sale of attached land

104 Supplementary orders as respects sale

- (1) The sheriff may, either when making an order granting a warrant for sale or subsequently, make such order as appears to the sheriff to be appropriate in connection with the sale of the attached land.
- (2) In particular, the sheriff may, on the application of the appointed person—
 - (a) extend the period specified in the warrant granted under section 97(2) of this Act within which the land is to be sold;
 - (b) remove that appointed person and appoint another solicitor as the appointed person; and
 - (c) on the application of the creditor, the debtor or any other person appearing to the sheriff to have an interest—
 - (i) in a case where the appointed person has died, appoint another solicitor as the appointed person;
 - (ii) in a case where the appointed person is unable to carry out the appointed person's functions due to ill health or incapacity, remove that person and appoint another solicitor as appointed person;
 - (iii) in any other case, on cause shown, so remove and appoint.

Status: This is the original version (as it was originally enacted).

- (3) An order made under this section after the grant of a warrant for sale must be intimated by the creditor—
- (a) in such form and manner;
 - (b) before the expiry of such period; and
 - (c) to the debtor and such other persons,
- as the sheriff may direct.