



# Debt Arrangement and Attachment (Scotland) Act 2002

2002 asp 17

## [<sup>F1</sup>PART 1A

### INTERIM ATTACHMENT

#### *Interim attachment: effects*

#### [<sup>F1</sup>9K Articles belonging to or owned in common by a third party

- (1) Where—
  - (a) a third party claims to own an article attached by interim attachment; and
  - (b) the court, on the application of the third party, makes an order stating that it is satisfied that the claim is valid,the interim attachment of that article shall cease to have effect.
- (2) Where—
  - (a) a third party claims to own an article attached by interim attachment in common with the debtor;
  - (b) the court, on the application of the third party, makes an order stating that it is satisfied—
    - (i) that the claim is valid; and
    - (ii) that the continued attachment of the article would be unduly harsh to the third party,the interim attachment of that article shall cease to have effect.
- (3) Subsection (2) of section 34 below applies where a third party makes an application for the purposes of subsection (1)(b) above as it applies where a third party makes an application for the purposes of subsection (1)(b)(ii) of that section.
- (4) Where the attachment of an article ceases, by virtue of an order under subsection (1) or (2) above, to have effect, the officer may attach other articles which are owned by the debtor and kept at the place at which the original interim attachment was executed.]

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**Changes to legislation:** There are currently no known outstanding effects for the Debt Arrangement and Attachment (Scotland) Act 2002, Section 9K. (See end of Document for details)

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### Textual Amendments

- F1** Pt. 1A inserted (1.4.2008) by [Bankruptcy and Diligence etc. \(Scotland\) Act 2007 \(asp 3\)](#), **ss. 173, 227(3)** (with [s. 223](#)); [S.S.I. 2008/115](#), art. 3(1)(c) (with arts. 4-6, 10, 15) (as amended: (23.2.2009) by [S.S.I. 2009/67](#), art. 7; (31.1.2011) by [S.S.I. 2011/31](#), art. 5(a); and (4.10.2014) by [S.S.I. 2014/173](#), arts. 1(2), 3)

**Changes to legislation:**

There are currently no known outstanding effects for the Debt Arrangement and Attachment (Scotland) Act 2002, Section 9K.