
Changes to legislation: There are currently no known outstanding effects for the Bankruptcy and Diligence etc. (Scotland) Act 2007, Cross Heading: Arrestment on the dependence. (See end of Document for details)

SCHEDULE 4
MODIFICATIONS OF ENACTMENTS RELATING TO
ADMIRALTY ACTIONS AND THE ARRESTMENT OF SHIPS

Arrestment on the dependence

- 7 (1) Section 47 of the 1956 Act is amended as follows.
- (2) In subsection (1)—
- (a) after “arrest”, where it second occurs, insert “ a ship or other maritime property which is not cargo ”;
 - (b) after “unless”, where it second occurs, insert “ at the time when the arrestment is executed ”;
 - (c) in paragraph (a), after “concerned” insert “ and the defender against whom that conclusion is directed owns at least one share in it or is the demise charterer of it ”; and
 - (d) in paragraph (b), the words “against whom that conclusion is directed” are repealed.
- (3) After subsection (1), insert—
- “(1A) Where a warrant to arrest on the dependence referred to in subsection (1) above (an “initial arrestment”) has been executed, then, subject to subsection (1B) below, no further warrant may be granted to arrest on the dependence—
- (a) the subjects of the initial arrestment; or
 - (b) while the initial arrestment continues to have effect, any other ship in which the defender owns at least one share,
- in respect of the claim to which the initial arrestment relates.
- (1B) A further warrant to arrest on the dependence may be granted if—
- (a) the further arrestment complies with the requirements of subsection (1) above; and
 - (b) cause is shown for granting the further warrant.”.

(4) In subsection (3)—

 - (a) in paragraph (a), after “ship” insert “ or of any share in it ”; and
 - (b) after “ship”, where it last occurs, insert “ or, as the case may be, any share in a ship other than in the ship, ”.

Commencement Information

II Sch. 4 para. 7 in force at 1.7.2010 by S.S.I. 2010/249, art. 2 (with art. 3)

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