

SCHEDULE 1

RULES FOR APPLICATIONS IN THE SHERIFF COURT UNDER THE DEBT ARRANGEMENT AND ATTACHMENT (SCOTLAND) ACT 2002

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APPENDIX 1

FORMS

Rule 1(3)

List of Forms

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Rule 5(1)

Court Ref. No.

Warrant for Intimation

(Place and date)

The Sheriff grants warrant to intimate a copy of the application and this warrant to the applicant, to the other person(s) stated in the application as having an interest (*specify*), Officer of Court referred to in the application, and to (*insert any other person the sheriff considers appropriate*).

Fixes as a hearing (*date*) at (*time*) **within the Sheriff Court House** (*address of court*)

- 1. **Requires the applicant to appear to be represented at the hearing to show why the application should be granted;**
- 2. **Requires the other persons to whom intimation is given to appear or be represented at the hearing if they intend to oppose the application or make representations about it; and**
- 3. **Directs the Officer of Court to send a copy of the attachment schedule/exceptional attachment schedule to the Sheriff clerk before the date of the hearing.**

Sheriff Clerk/Depute

To (*name of person receiving intimation*)

This application and warrant is intimated to you.

Sheriff Clerk/Depute
Date

Please note

To the applicant

If you fail to appear or be represented at the hearing fixed your application may be dismissed

To the other persons to whom intimation is given

If you fail to appear or be represented at the hearing fixed the application may be dealt with in your absence

IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR

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Rule 5(4)

Court Ref No

Certificate of intimation

(Place, date) This application was intimated by me
Sheriff Clerk/Depute by posting to

on a copy of the application (together with a copy of
Form(s)) in a first class recorded delivery/registered letter addressed as follows—

Sheriff Clerk/Depute

(Attach receipt for letter)

Note

Where intimation made by Officer of Court, form to be adapted as appropriate.

Form 3 Debt Arrangement and Attachment (Scotland) Act 2002

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Rule 8(3)

Sheriff Court.....

ATTACHMENT SCHEDULE

To (name and address of debtor, person in possession of attached articles or any person who claims to own attached articles)

On a decree was granted in the Sheriff Court / Court of Session in an action by

CREDITOR

against

DEBTOR

in which the Debtor(s) were ordered to pay to the Creditor(s) (specify amounts) (*or give details of other document upon which the attachment proceeded)

*On a charge for payment of these sums (under deduction of £ paid to account since the date of decree) was served on the said (name of debtor) (state where attachment proceeded on summary warrant)

OR

On an exceptional attachment order was made on application by

CREDITOR

against

DEBTOR

I, (name and address), Officer of Court on the instruction of the said (name of creditor) attach at (address) the articles belonging to the debtor specified in the list attached.

The sum now due by the debtor is

Principal sum	£	
Interest	£	(Further interest may accrue if the debt is not immediately)
Expenses	£	
Less paid on account	£	_____
Charge fee	£	
Attachment fee	£	
Other outlays (specify)	£	

If this sum is not paid arrangements will be made for the auction of the attached article(s).

Payment should be made to (name and address)

*I have removed the attached article(s).

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*You may move the attached article(s) to another location only if the creditor or the officer of court has consented in writing to this or the sheriff has authorised their removal.

You (the debtor) have the right to redeem an attached article within *7/14 days on payment to me of the value fixed and referred to in this schedule.

*You (insert name of person present claiming to own article in common with debtor) have the right to apply to the sheriff for an order that an attached article is owned in common, and if an order is made the debtor's interest will be transferred to you on payment to me of a sum equal to the value of debtor's interest in that article.

*You (insert name of person other than the debtor where mobile home is their principal residence) have the right to apply to the sheriff within 14 days of the attachment for an order that the attachment of the mobile home is to cease to have effect.

*I did not attach the following articles on the basis that

- (a) they were of sentimental value to the debtor; and
- (b) were likely to realise, on sale by auction, an aggregate amount not exceeding £150 (list articles and value).

* delete as appropriate

This attachment is carried out by me today *(date)* and is witnessed by *(name and address)*

I deliver/leave this attachment schedule to/for you (name) today at (address)

(signature)
Witness
(designation)

(signature)
Officer of court
(designation)

PLEASE NOTE

1. Any unauthorised removal of the attached articles or any willful damage or destruction of them by the debtor or persons who know the articles have been attached shall be a breach of attachment and may be dealt with as a contempt of court.

2. The theft of any attached article should be notified to the creditor and to me together with details of any claim on insurance. Failure to do so is also a breach of the attachment and may be dealt with as a contempt of court. A form is available for this purpose and may be obtained from the sheriff clerk's or any citizens advice bureau or local advice centre.

LIST SPECIFYING ATTACHED ARTICLE(S)

ARTICLES ATTACHED

VALUE FIXED

Witness

Officer of court

IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR

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Form 4Debt Arrangement and Attachment (Scotland) Act 2002, section 23(2)

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Rule 9(1)

Sheriff Court, (name)

APPLICATION FOR
THE ATTACHMENT
TO CEASE TO HAVE
EFFECT BECAUSE
THE VALUE FIXED
IS TOO LOW

...../20....
(Court Ref No)

(1) APPLICANT

A The Applicant is the Debtor

(1) Insert name and address

**B Other persons having an interest
The Creditor (1)**

Officer of Court who executed the attachment (1)

(2) Insert name

C Decree was granted in an action by the Creditor(s) (2)

in the Court of Session/Sheriff Court at
on 20 against the Debtor(s) (2)

(or give details of other document or summary warrant on which the attachment proceeded)

D An attachment was executed on

**give details of the article(s) and valuation by Officer of Court*

E The * article(s) attached was/were the following:-

The(se) article(s) should be released from attachment as the value of the article(s) fixed by the officer of court is too low for the following reasons:

This application is made under Section 23(2) of the Debt Arrangement and Attachment (Scotland) Act 2002

The Applicant asks the courts:-

- 1 To fix a Hearing**
- 2 To order the Sheriff Clerk to intimate this application and the date of the hearing to the Applicant, the Creditor and the Officer of Court who executed the attachment**
- 3 To order attachment of the article(s) to cease to have effect because the (aggregate of) the value(s) of the attached article(s) is substantially below the (aggregate of) the price(s) which it is/they are likely to fetch if sold on the open market.**
- 4 To award expenses (if competent)**

(Date)

**IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/LOCAL
ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR**

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Form 5Debt Arrangement and Attachment (Scotland) Act 2002, sections 21(7) and 50(3)

Rules 10(1) and 32(1)

NOTICE OF THEFT OF ATTACHED ARTICLES

...../20....

(Court Ref No)

Insert name and address of Creditor

Insert name and address

(2) Insert name

An attachment was carried out by (2)

(3) Insert address

Officer of Court on the instructions of the Creditor on 20 at (3)

Please note the details requested can be found on the attachment Schedule

The article(s) noted below were stolen on *(insert date)*

- * The article(s) was/were insured and I intend to make a claim
- * The article(s) was/were not insured
- * The insurance company is *(specify name and address)*
- * Insurance Claim Reference Number *(please specify)*
- * The theft was reported to the police on *(specify date)* and the report reference number is *(please specify)*

Date **Debtor**
 Copies of this notice to be sent by the Debtor to the Creditor, Officer of Court, and the Sheriff/Sheriff Clerk (delete as appropriate)

IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR

Form 6Debt Arrangement and Attachment (Scotland) Act 2002, sections 21(2)(b), 10(a), and 10(b)

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Rule 11(1)

Sheriff Court, (name)

APPLICATION FOR FURTHER ATTACHMENT IN SAME PLACE AND/OR REVALUATION WHEN ARTICLES MOVED, STOLEN DAMAGED OR DESTROYED

...../20..... (Court Ref No)
(1) APPLICANT

A

The Applicant is
 * The Creditor
 * An Officer of Court on behalf of the Creditor

(1) *Insert name and address*

B

Other persons having an interest
 The Debtor (1)
 Third Party (1)

(2) *Insert name*

C

Decree was granted in an action by the Creditor(s) (2)
 In the Court of Session/Sheriff Court at
 on 20 against the Debtor(s) (2)
(or give details of other document or summary warrant on which the attachment proceeded)

(3) *Insert address*

D

An attachment was executed by (2)
 Officer of Court on the instructions of the Creditor
 on 20 at (3)

Add reasons for making these statements and specify damage and give details of the alleged reduction in value of the damaged articles

E

Among the articles attached were the following:-
 * The(se) articles were moved from the premises at (3) in breach of the attachment and authority should be given for attachment of other articles belonging to the debtor at the same premises.
 * The(se) articles were damaged, destroyed or stolen and authority should be given for attachment of other articles belonging to the Debtor and/or the revaluation of damaged articles.

This application is made under Section 421(2)(b)&21(10) of the Debt Arrangement and Attachment (Scotland) Act 2002

The Applicant asks the Court:-

- 1 To fix a Hearing
- 2 To order the Sheriff Clerk to intimate this application and the date of the hearing to the Applicant, the Debtor and the Officer of Court who carried out the attachment (if not the applicant)
- 3 To Authorise the attachment of other goods belonging to the Debtor at the premises in which the original attachment took place*/To Authorise the revaluation of the damaged articles
- 4 To award expenses (if competent).

**delete as appropriate*

(Date)

IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR

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Form 7Debt Arrangement and Attachment (Scotland) Act 2002, sections 21(11) and 50(5)

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Rule 12(1) and 33(1)

Sheriff Court, (name)

<p>APPLICATION FOR CONSIGNATION WHERE ARTICLES HAVE BEEN DAMAGED, DESTROYED, LOST, STOLEN OR DISPOSED OF</p>	<p>...../20.... (Court Ref No)</p>	<p>(1) APPLICANT</p>
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<p><i>* give details of creditor if Applicant is Officer of court</i></p>	<p>A</p>	<p>The Applicant is * The Creditor/An Officer of Court on behalf of the Creditor</p>
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<p><i>(1) Insert name and address</i></p>	<p>B</p>	<p>Other persons having an interest The Debtor (1): The person in respect of whom an order for consignation is sought (1)</p>
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<p><i>(2) Insert name</i></p>	<p>C</p>	<p>Decree was granted in an action by the Creditor(s) (2) in the Court of Session/Sheriff Court at on 20 against the Debtor(s) (2) <i>(or give details of other document or summary warrant on which the attachment proceeded)</i></p>
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<p><i>(3) Insert address</i></p>	<p>D</p>	<p>* An attachment was executed on (date) by (1) Officer of Court at (3). * An exceptional attachment order was granted on 20 , and executed on (date) by (2) Officer of Court at (3).</p>
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<p><i>* delete as appropriate</i> <i>Give details as far as known of circumstances in which the article(s), was/were damaged, lost, stolen or disposed of</i></p>	<p>E</p>	<p>Among the articles attached was/were the following which was/were valued at £ and which the said (2) knew had been attached. * The article(s) having been removed from the premises in breach of attachment has/have been *damaged/*destroyed/*lost/*passed onto another without knowledge of the attachment and for value. * The said damaged article(s) is/are now valued at £</p>
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This application is made under Section 21(1)(50(5)) of the Debt Arrangement and Attachment (Scotland) Act 2002
The Application asks the courts—
1 To fix a Hearing
2 To order the Sheriff Clerk to intimate this application and the date of the hearing to the Applicant, to those persons stated above as having an interest and the Officer of Court who carried out the attachment.
3 To order the said (2),..... to consign £... in court being:
(i) the difference between the value of the article fixed on attachment and the value of the article as damaged
or
(ii) the value fixed on attachment, and/or the value of the article(s).
4 To award expenses (if competent).
(Date)

IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR

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Form 8Debt Arrangement and Attachment (Scotland) Act 2002, section 17(1)

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Rule 13(1)

Sheriff Court (place).....

REPORT OF ATTACHMENT

Date of execution of attachment.....

On _____ a decree was granted in the Sheriff Court _____ /Court of Session in an action by _____

(Name and address) _____ **CREDITOR**

against _____

(Name and address) _____ **DEBTOR**

in which the Debtor(s) were ordered to pay to the Pursuer(s) _____
(specify amounts)
(*or give details of other document or order upon which the attachment proceeded)

*On (date) _____ a charge for payment of these sums (under deduction of £ _____ paid to account since the date of decree) was served on the debtor)
(delete where attachment proceeded on summary warrant)

The sum now due by the debtor is

Principal sum	£
Interest	£
Expenses	£
Less paid to account	£ _____
Charge fee	£
Attachment fee	£
Other outlays (specify)	£

I (name and address) _____ Officer of Court
attended at (address) _____ along with the
witness (name and address) _____ on the instructions of
the creditor(s) (name and address):
showed the warrant to attach *(delete if appropriate) (with certificate of execution of charge) to every person present and demanded payment of the sum due from the debtor/a person who in the debtor's absence appeared to be authorised to act for him/her.

The sum due not being paid, and having made enquiry of those present as to the ownership of the articles I proposed to attach, and in particular whether there were any persons who owned any of the articles in common with the debtor, I attached the articles belonging to the said (name of debtor) specified in the list attached at the valuation shown.

I advised the person(s) present (if appropriate) of their rights to redeem attached articles or to apply for the attachment to cease to have effect in terms of section 15, 18, 22, 23, 34, 35, 55 or 56 of The Debt Arrangement and Attachment Act 2002.

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*The following articles were not attached by me on the basis that—

- (a) they were of sentimental value to the debtor; and
- (b) were likely to realise, on sale by auction, an aggregate amount not exceeding £150.

List of articles and value

I warned those present that any unauthorised removal of the attached article(s) or any willful damage or destruction of them by the debtor or person(s) who knew the article(s) had been attached would be a breach of attachment and could be dealt with as a contempt of court.

ARTICLES ATTACHED	VALUE PRXED
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I *delivered/left an attachment schedule signed by myself and the witness to the attachment to/for (name of debtor/person in possession of the articles)

a. _____ on the _____ day of _____

*and served a copy of it by first class post on the said debtor(s).

(signature)
 Witness
 (designation)

(signature)
 Officer of court
 (designation)

Notes

1. Any assertion made before the submission of this report to the Sheriff, that any attached article does not belong to the debtor(s) must be noted in this report.
2. Any redemption of attached articles by the debtor before the submission of the report to the sheriff must be noted in this report.
3. Where the report relates to a further or second attachment to enforce the same debt the officer of court must specify in the report the circumstances justifying the further or second attachment.

*delete as appropriate

Form 9Debt Arrangement and Attachment (Scotland) Act 2002, sections 18(1) and 56(1)

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Rules 14 and 35

RECEIPT FOR REDEMPTION OF ATTACHED ARTICLES

In respect of the attachment carried out on _____ at the instance of (name and address of creditor):

against _____ (name and address of debtor)

Received the sum of £ _____ in redemption of the following article(s);

(Specify)

Date: Officer of Court:

Note: Copy to be retained for purpose of report to Court

Form 10Debt Arrangement and Attachment (Scotland) Act 2002, section 20(1)

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Rule 15(1)

Sheriff Court, (name)

APPLICATION FOR SECURITY OF ATTACHED ARTICLES THAT OR SALE OF ARTICLES THAT ARE PERISHABLE OR ARE LIKELY TO DETERIORATE/20....	
	(Court Ref No)	
	(1)	APPLICANT
A	The Applicant is * The Creditor/An Officer of Court on behalf of the Creditor/ the Debtor	
(1) <i>Invert name and address</i>	B	Other persons having an interest The Debtor (1) The Creditor (1) Officer of Court (1) who executed the attachment
(2) <i>Insert name</i>	C	Decree was granted in an action by the Creditor(s) (2) in the Court of Session/Sheriff Court at on 20 against the Debtor(s) (2) <i>(or give details of other document or summary warrant on which the attachment proceeded)</i>
(3) <i>Insert address</i>	D	An attachment was executed by (2) Officer of Court on the instructions of the Creditor on 20 at (3)
* <i>delete.</i> ** <i>give reasons why such an order should be made and proposed security arrangements</i> *** <i>give reasons for making application</i>	E	Among the articles attached were the following:- * It is necessary that an order be made for the security of the attached article(s)** * The(se) article(s) are of a perishable nature or are likely to deteriorate substantially and rapidly in condition or value***
	F	I have intimated this application to debtor/creditor/officer of court who executed the attachment*

This application is made under Section 20(1) of the Debt Arrangement and Attachment (Scotland) Act 2002

The Applicant asks the court:-

- 1 * To order such intimation (if any) and further procedure as the court considers appropriate
- 2 * To make such order as thought appropriate for the security of the attached article(s) referred to
- 3 * To make an order for the immediate sale of the article(s) referred to
- 4 * If the article(s) is/are sold, in order consignation of the proceeds in court until the diligence is completed or otherwise ceases to have effect
- 5 To award expenses (if competent)

(Date)

**delete*

IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR

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Form 11 Debt Arrangement and Attachment (Scotland) Act 2002, sections 16(1) and 22(1) and (3)

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Rule 16(1)

Sheriff Court, (name)

<p>APPLICATION FOR (1) RELEASE OF VEHICLE OR MOBILE HOME FROM ATTACHMENT (2) IMMEDIATE SALE OF A VEHICLE</p>		<p style="text-align: right;">...../20.... (Court Ref No)</p> <p>(1) APPLICANT</p>
<p>(1) Insert name and address</p>	<p>A</p>	<p>The Applicant is * The Debtor * A person whose only or principal residence is an attached mobile home</p>
<p>(2) Insert name</p>	<p>B</p>	<p>Other persons having an interest * The Debtor (1) *The Creditor (1) * Officer of court, who carried out attachment (1)</p>
<p>(3) Insert address</p>	<p>C</p>	<p>Decree was granted in an action by the Creditor(s) (2) in the Court of Session/Sheriff Court at on 20 against the Debtor(s) (2) <i>(or give details of other document or summary warrant on which the attachment proceeded)</i></p>
<p>*vehicle **state reasons why sale would be unduly harsh</p>	<p>D</p>	<p>An attachment was carried out by (2) Officer of Court on the instructions of the Creditor on 20 at (3)</p>
	<p>E</p>	<p>Among the articles attached was a mobile home <i>(state whether caravan, houseboat or other moveable structure)</i> *vehicle The vehicle was valued on attachment at £ . * This is the only or principal residence of the applicant * Sale of the vehicle would be unduly harsh**</p>

This application is made under Section 16(1)/22(1)(3) of the Debt Arrangement and Attachment (Scotland) Act 2002

The Applicant asks the court:-

- 1 To fix a hearing
- 2 To order the Sheriff Clerk to intimate this application and the date of the hearing to the Applicant, and to those persons stated above as having an interest
- *3 To order that attachment of the vehicle shall cease to have effect
- *4 To order that attachment of the mobile home is to cease to have effect
- *5 To order the officer of court(2) to arrange the immediate sale of the vehicle, and to pay the sum of (insert amount) to the debtor from the proceeds of sale and to consign any surplus with the sheriff clerk
- 6 To award expenses (if competent)

(Date)

IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU /LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR

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Form 12Debt Arrangement and Attachment (Scotland) Act 2002, section 24(2)

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Rule 17(1)

Sheriff Court, (name)

**APPLICATION FOR
EXTENSION OF
DURATION OF AN
ATTACHMENT**

...../20....
(Court Ref No)

(1) **APPLICANT**

(1) *Insert name and address*

A	<p>The Applicant is</p> <p>* The Creditor</p> <p>* An Officer of Court on behalf of the Creditor</p>
B	<p>Other persons having an interest</p> <p>The Debtor (1)</p> <p>The Creditor (1)</p> <p>Officer of court who carried out the attachment (1)</p>

(2) *Insert name*

C	<p>Decree was granted in an action by the Creditor(s) (2)</p> <p>In the Court of Session/Sheriff Court at</p> <p>on 20 against the Debtor(s) (2)</p> <p><i>(or give details of other documents or summary warrant on which the attachment proceeded)</i></p>
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(3) *Insert address*

D	<p>An attachment was carried out by (2)</p> <p>Officer of Court on the instructions of the Creditor</p> <p>on 20 at (3)</p>
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**delete*

Give details to justify the application

E	<p>* The attachment ceases to have effect on</p> <p style="text-align: center;">or</p> <p>* An extension of duration of attachment was granted on extending the attachment so that it ceases to have effect on</p> <p>* The debtor is likely to comply with the agreement between the creditor and debtor for payment of the sum recoverable by instalments or otherwise if the date on which the attachment is to cease to have effect were to be substituted with a later date</p> <p style="text-align: center;">Or</p> <p>* The auction of the attached article(s) cannot take place before the date on which the attachment is to cease to have effect due to circumstances for which the creditor cannot be held responsible (specify) and the attachment ceasing to have effect on that date would prejudice the creditor.</p>
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**state date proposed*

This application is made under Section 24(2) of the Debt Arrangement and Attachment (Scotland) Act 2002

The Applicant asks the court:-

- 1 To fix a Hearing**
- 2 To order the Sheriff Clerk to intimate this application and the date of the hearing to the Applicant, the Debtor and the Officer of Court who carried out the attachment order (if not the applicant)**
- 3 To extend/further extend the duration of the attachment until***
- 4 To award expenses (if competent)**

(Date)

Place, date

I certify that the Sheriff's decision in respect of the application has been intimated to the Debtor
Sheriff Clerk Depute

IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR

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Form 13Debt Arrangement and Attachment (Scotland) Act 2002, section 26(1)(a) and (b)

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Rule 18(1)

Sheriff Court, (name)

APPLICATION FOR AN ORDER DECLARING THE ATTACHMENT INVALID OR HAS CEASED TO HAVE EFFECT

/20....
	(Court Ref No)
(1)	APPLICANT

A

The Applicant is the Debtor

(1) Insert name and Address

B

Other persons having an interest
The Creditor (1)

Officer of Court (1)

(2) Insert name

C

Decree was granted in an action by the Creditor(s) (2)

in the Court of Session/Sheriff Court at
on 20 against the Debtor(s) (2)

(or give details of other document or summary warrant on which the attachment proceeded)

(3) Insert address

D

An attachment was executed by (2)

Officer of Court on the instructions of the Creditor
on 20 at (3)

**Delete as appropriate*

E

The following article(s) was/were attached:–

* the attachment has ceased to have effect **

* the purported attachment is invalid **

***Give reasons for application*

This application is made under Section 26(1)(a)(b) of the Debt Arrangement and Attached (Scotland) Act 2002
The Applicant asks the court:–
1 To fix a Hearing
2 To order the Sheriff Clerk to intimate this application and the date of the hearing to the Applicant, the Creditor and the Officer of Court who carried out the attachment
3 To make an order declaring that the attachment is invalid or has ceased to have effect
*4 To order to the Officer of Court (2) to return the article(s) to the place from which it was/they were removed
5 To award expenses (if competent)
(Date)

IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form 14Debt Arrangement and Attachment (Scotland) Act 2002, sections 27(4) and 53(2)

Rule 19(1)

**NOTICE OF
REMOVAL OF
ATTACHED
ARTICLES AND
PUBLIC ATTENTION**

...../20....

(Court Ref No)

*Insert name and
address of Creditor*

*Insert name and
address of Debtor/
other person in
possession of
attached articles*

(2) Insert name

(3) Insert address

An attachment was carried out by (2)

Officer of Court on the instructions of the Creditor
on 20 at (3)

Please note the attached article(s) (specify where appropriate) will be removed from your premises on , [at am/pm]. You should arrange for access to your premises at that time. The Officer of Court may, if access is denied, open shut and lockfast places for the purpose of removing the article(s).

A public auction of the attached article(s) will be held on (date) at (insert place of auction).

Date
Designation of Officer of Court

**IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/LOCAL
ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR**

Form 15Debt Arrangement and Attachment (Scotland) Act 2002, section 29(3)(a)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 20(1)

Sheriff Court, (name)

Court Ref No.

REPORT OF AGREEMENT RESULTING IN CANCELLATION OF AUCTION

The auction arranged at the instance of

(1) **CREDITOR**

begins.

(1) **DEBTOR**

and due to take place at on
has been cancelled for the purposes of enabling the sum recoverable to be paid in accordance
with an agreement between the creditor and the debtor.

*This is the first/second time auction arrangements have been cancelled.
*(delete)

The agreement is to the following effect (set out terms of agreement or attach copy, if in
writing)

OFFICER OF COURT

(1) *(insert name and address)*

*delete as appropriate

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 20(2)

Sheriff Court, (name)

**APPLICATION FOR
AN ORDER
FOR A NEW
AUCTION**

...../20....

(Court Ref No)

(1) **APPLICANT**

A The Applicant is the Creditor

(1) *Insert name and address*

**B Other persons having an interest
The Debtor (1)
Officer of Court (1)**

(2) *Insert name*

**C Decree was granted in an action by the Creditor(s) (2)
in the Court of Session/Sheriff Court at
on 20 against the Debtor(s) (2)**

For give details of other document or summary warrant on which the attachment proceeded)

(3) *Insert address*

**D An attachment was carried out by (2)
Officer of Court on the instructions of the Creditor
on 20 at (3)**

**E The auction due to take place at (3) on (insert date)
was cancelled for the purposes of enabling the sum recoverable
to be paid in accordance with an agreement between the
Creditor and Debtor**

A report of the agreement was reported to the Sheriff on

State nature of the breach

The Debtor has failed to carry out the agreed terms and is now in breach of the agreement because

This application is made under Section 29(4) of the Debt Arrangement and Attachment (Scotland) Act 2002

The Applicant asks the courts-

- 1 To fix a Hearing
 - 2 To order the Sheriff Clerk to intimate this application and the date of the hearing to the Applicant, the Debtor and the Officer of Court who carried out the attachment
 - 3 To order that the Debtor is in breach of the agreement made on (insert date) and to authorise the Officer of Court to resume arrangements for the auction of the attached article(s)
 - 4 To order that as the auction cannot be implemented in accordance with the provisions of the Act, that those provisions which prevent such implementation are not to apply for the purposes of the attachment and auction of the article(s)
 - 5 To award expenses (if competent)
- (Date)

**delete as appropriate*

IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form 17Debt Arrangement and Attachment (Scotland) Act 2002, section 32(1)

Rule 21(1)

Sheriff Court, (name)

REPORT OF AUCTION

Details of parties and prior steps in diligence

- 1 The Creditor :(name and address)
- 2 The Debtor :(name and address)
- 3 The person who had possession of the attached articles, if not the debtor :(name and address)
- 4 Date of decree etc or document of debt :
- 5 List Prior steps of diligence :
- :
- :
- :
- :
- :

Extract decree and other documents on which the diligence proceeded to be produced.

Details of auction arrangements

- 6 Date of auction :
- 7 Location of auction :
- 8 Officer of court who made arrangements :(name and address)
- 9 Person who conducted auction :(name and address)
- 10 Person who witnessed sale (if applicable) :(name and address)

11 Notices given by officer of court in respect of auction *(copies to be produced)*

Disposal of attached articles and auction proceeds
LIST-

- 12 Articles sold and amount for which sold
- 13 Articles unsold
- 14 Articles whose ownership passed to creditor
- 15 Articles whose ownership reverted to debtor
- 16 Articles otherwise disposed of *(specify)*
(Specify) each item under 12-16 and amount debtor was credited with
- 17 Articles released/redeemed from attachment and value fixed at attachment with explanation of circumstances

DETAIL

- 18 Disposal of auction proceeds including any surplus paid to debtor
- 19 Any monies consigned in court

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

STATEMENT OF DEBT AND EXPENSES

Sums due by debtor

1 Sums in decree etc

Principal	_____
Expenses	_____
Interest	_____

2 Diligence expenses

Outlays to be produced

Charge	_____
Attachment	_____

3 Auction expenses

Paid to account _____

Proceeds of auction (12-17) _____

Consignation on/by _____

Balance due to/by debtor _____

This report is made by me (*specify name and address*) to the Sheriff at (*place*) on (*date*)

Signed
Officer of Court
.....

Witness

(Place, date) The Sheriff Remits this Report to the Auditor of Court.

Sheriff Clerk/Depute

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 23(1)(a)

Sheriff Court, (name)

**APPLICATION IN
RELATION TO
ARTICLES
BELONGING TO A
THIRD PARTY**

20.... (Court Ref No)
(1)	APPLICANT

**delete:* A

The Applicant is a person claiming ownership of attached article(s)
--

(1) *Insert name and address* B

Other persons having an interest The Creditor (1) The Debtor (1) * Any person (other than the Debtor) having possession of the attached article(s) for which release is sought (1)
--

(2) *Insert name* C

Decree was granted in an action by the Creditor(s) (2) in the Court of Session/Sheriff Court at on 20 against the Debtor(s) (2) <i>(or give details of other document or summary warrant on which the attachment proceeded)</i>

(3) *Insert address* D

An attachment was carried out by (2) Officer of Court on the instructions of the Creditor on 20 at (3)
--

*(specify details of where
and when an auction
is to be held if this has
been fixed)*

E Among the articles attached was/were the following:– Auction of the attached article(s) has not yet taken place The article(s) belong to the applicant and the attachment should cease to have effect

(give details of ownership)

This application is made under Section 34(1)(b)(ii) of the Debt Arrangement and Attachment (Scotland) Act 2002

The Applicant asks the court:–

- 1 To fix a Hearing
- 2 To order the Sheriff Clerk to intimate this application and the date of the hearing to the Applicant to those persons stated above as having an interest and the Officer of Court who carried out the attachment order
- 3 To find that the applicant owns the article(s) and the article(s) should be released from attachment
- 4 To award of expenses (if competent)

(Date)

IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR

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Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Form 19Debt Arrangement and Attachment (Scotland) Act 2002, section 35(2)(b)(ii)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 23(1)(b)

Sheriff Court, (name)

APPLICATION IN RELATION TO ARTICLES BELONGING TO A THIRD PARTY IN COMMON WITH THE DEBTOR	/20.... (Court Ref No)
	(1)	APPLICANT
A		The Applicant is a person claiming common ownership of attached article(s)
<i>(1) Insert name and address</i>	B	Other persons having an interest The Creditor (1) The Debtor (1) * Any person (other than the Debtor) having possession of the attached article(s) for which release is sought (1)
<i>(2) Insert name</i>	C	Decree was granted in an action by the Creditors) (2) in the Court of Session/Sheriff Court at on 20 against the Debtor(s) (2) <i>(or give details of other document or summary warrant on which the attachment proceeded)</i>
<i>(3) Insert address</i>	D	An attachment was carried out by (2) Officer of Court on the instructions of the Creditor on 20 at (3)
<i>(specify details of where and when an auction is to be held if this has been fixed)</i> <i>(give details of ownership including extent,</i> <i>(give details of value of the Articles) and sum proposed)</i>	E	Among the articles attached was/were the following:- Auction of the attached article(s) has not yet taken place† The applicant owns the article(s) in common with the Debtor The applicant *has given/gives an undertaking to pay a sum equal to the value of the debtor's interest in the article

**Delete as appropriate*

The Applicant asks the court:-

- 1 To fix a hearing**
- 2 To order the Sheriff Clerk to intimate this application and the date of the hearing to the Applicant, to those persons stated above as having an interest, and the Officer of Court who carried out the attachment**
- 3 To find that the applicant has common ownership of the article(s)**
- 4 To order that the said article(s) be released from attachment and transferred to the Applicant on payment of a sum equal to the debtor's interest**
- 5 To award expenses (if competent)**

(Date)

IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR

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Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Form 20Debt Arrangement and Attachment (Scotland) Act 2002, section 35(3)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 23(1)(c)

Sheriff Court, (name)

APPLICATION FOR
ATTACHMENT TO
CEASE AS SALE
WOULD BE UNDULY
HARSH

/20....
	(Court Ref No)
(1)	APPLICANT

(1) Insert name and address

A The Applicant is a person claiming common ownership of attached article(s)

B Other persons having an interest
The Creditor (1)
The Debtor (1)
* Any person (other than the Debtor) having possession of the attached article(s) for which release is sought (1)

(2) Insert name

C Decree was granted in an action by the Creditor(s) (2)

in the Court of Session/Sheriff Court at
on 20 against the Debtors) (2)

(or give details of other document or summary warrant on which the attachment proceeded)

(3) Insert address

D An attachment was carried out by (2)

Officer of Court on the instructions of the Creditor
on 20 at (3)

(specify details of where and when an auction is to be held if this has been fixed)

E Among the articles attached and removed from the place of attachment was/were the following:-

Auction of the attached article(s) has not yet taken place

(give details of ownership including extent)

The Applicant owns the article(s) in common with the Debtor

(give reasons for claim that auction would be unduly harsh)

The auction of the article(s) specified would be unduly harsh to the applicant in the circumstances

This application is made under Section 35(3) of the Debt Arrangement and Attachment (Scotland) Act 2002

The Applicant asks the court:-

- 1 To fix a Hearing
- 2 To order the Sheriff Clerk to intimate this application and the date of the hearing to the Applicant, to those persons stated above as having an interest, and the Officer of Court who carried out the attachment
- 3 To find that the applicant has common ownership in the article(s)
- 4 To find that auction of the article(s) would be unduly harsh to the applicant and order that the article(s) be released from attachment
- 5 To award expenses (if competent)

*Delete as appropriate

(Date)

IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR

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Form 21 Debt Arrangement and Attachment (Scotland) Act 2002, section 36(1)(e)(ii)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 24(1)

Sheriff Court, (name)

APPLICATION IN RELATION TO ARTICLES BELONGING TO A THIRD PARTY IN COMMON WITH THE DEBTOR THAT HAVE BEEN SOLD AT AUCTION(2).....
	(Court Ref No)
	(1) APPLICANT

A	The Applicant is a Person claiming common ownership of attached article(s)
----------	---

B	Other persons having an interest The Creditor (1) * The Debtor (1) * Any person (other than the Debtor) having possession of the attached article(s) for which release is sought (1)
----------	---

C	Decree was granted in an action by the Creditor(s) (2) in the Court of Session/Sheriff Court at on 20 against the Debtor(s) (2) <i>(or give details of other document or summary warrant on which the attachment proceeded)</i>
----------	--

D	An attachment was carried out by (2) Officer of Court on the instructions of the Creditor on 20 at (3)
----------	--

E	Among the articles attached was/were the following:- Auction of the attached article(s) took place on at when the article was/were sold for £ or transferred to the creditor for that sum The Applicant claimed ownership of the article(s) in common with the Debtor prior to the auction <i>(state extent to which ownership claimed)</i>
----------	--

The Applicant's interest in the article has following the auction of the article been transferred to another person

This application is made under Section 36(1)(c)(iii) of the Debt Arrangement and Attachment (Scotland) Act 2002

The Applicant asks the court:-

- 1 To fix a Hearing
 - 2 To order the Sheriff Clerk to intimate this application and the date of the hearing to the Applicant, to those persons stated above as having an interest, and the Officer of Court who carried out the attachment
 - 3 To find that the applicant has common ownership in the article(s)
 - 4 To make an order that the Creditor pay to the Applicant the fraction of the proceeds of the sale/value of the article(s) which corresponds to the Applicant's interest in the article(s)
 - 5 To award expenses (if competent)
- (Date)

**delete as appropriate*

IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU /LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR

Document Generated: 2023-08-31

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Form 22Debt Arrangement and Attachment (Scotland) Act 2002, section 47(1)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 25(1)

Sheriff Court, (name)

APPLICATION FOR EXCEPTIONAL ATTACHMENT ORDER	/20.... (Court Ref No)
	(1)	APPLICANT
	A	The Applicant is the Creditor
(1) <i>Insert name and address</i>	B	Other persons having an interest The Debtor (1)
(2) <i>Insert name</i> <i>Give details of the nature of the debt particularly whether it relates to tax, duty or any trade or business carried on by the Debtor and produce an extract</i>	C	Decree was granted in an action by the Creditor(s) (2) in the Court of Session/Sheriff Court at on 20 against the Debtor(s) (2) <i>(or give details of other document or summary warrant)</i>
(3) <i>Insert address</i>	D	Address of dwelling-house where exceptional attachment order is to be executed (3) The debtor does/*not reside at dwelling-house The debtor does/*not carry on a trade or business in this dwelling-house <i>(give details)</i> The creditor has taken steps to negotiate (or seek to negotiate) a settlement of the debt* <i>(give details)</i> The creditor has taken steps to execute (or attempt to execute) an arrestment and action of forthcoming or sale, and an earnings arrestment in order to secure payment of the debt <i>(*delete as appropriate and give details if necessary)</i> A Time to Pay Direction/Time to Pay Order was made/not made in respect of this *debt/another debt. If made it has lapsed/ is still in force <i>(*delete as appropriate and give details if necessary)</i> *The Debtor has been provided with a debt advice and information package There is a reasonable prospect that the sum recovered from auction of non-essential assets of the debtor kept in the dwellinghouse would be at least equal to the aggregate of chargeable expenses and £100 <i>(include details of any other matters that you wish the sheriff to take into account)</i>

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

This application is made under Section 47(1) of the Debt Arrangement and Attachment (Scotland) Act 2002

The Applicant asks the court:-

(^delete as appropriate)

- 1 To fix a Hearing
- 2 To order the Sheriff Clerk to intimate this application and the date of the hearing to the Creditor and Debtor
- 3 To serve the debtor with a copy of form *(insert number)*
- 4* To order the debtor to receive a visit for the purpose of money advice
- 5 To make an exceptional attachment order authorising within *(specify time)* the attachment, removal and auction of non-essential assets of the debtor which are, at the time when an attachment is executed, kept in the dwellinghouse specified above
- 6 To appoint *(insert name)*, officer of court, to arrange for such attachment, removal and auction, and to grant authority to open shut and lockfast places for these purposes

(Date)

NOTE: IF NECESSARY ATTACH A SEPARATE SHEET FOR DETAILS IN SECTION D

IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR

Form 23Debt Arrangement and Attachment (Scotland) Act 2002, section 47

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 25(2)(c)(i)

APPLICATION UNDER SECTION 47(1) OF THE DEBT ARRANGEMENT AND ATTACHMENT (SCOTLAND) ACT 2002 FOR EXCEPTIONAL ATTACHMENT ORDER

FORM OF SERVICE

(Place)

(Date)

To

(debtor)

You are served with a copy of the above application together with a copy of Form 24 (*declaration by Debtor*)

If you want the court to take account of your financial circumstances prior to the hearing you must complete the declaration in Form 24 and lodge it with the Sheriff Clerk at (*address*) no later than*

You may appear or be represented (by an advocate, solicitor or other authorised person) at the hearing of the application but if you fail to do so the application may be considered and granted in your absence.

Signed Sheriff Clerk/Depute

Sheriff Clerk to insert dates before service

****insert date that is 10 days before the date of the hearing***

IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR

Form 24Debt Arrangement and Attachment (Scotland) Act 2002, section 47(4)(g)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 25(2)(c)(ii)

DECLARATION BY DEBTOR OF FINANCIAL CIRCUMSTANCES IN AN APPLICATION FOR AN EXCEPTIONAL ATTACHMENT ORDER

SECTION A
This section must be completed before service

Sheriff Court (including address)	Court Ref No
	Hearing Date
CREDITOR'S FULL NAME AND ADDRESS	DEBTOR'S FULL NAME AND ADDRESS

I, *(name)* debtor in the foregoing application would like the court to consider my financial circumstances in considering whether to make an exceptional attachment order.
 And/or
 I, Declare that I own the following non-essential assets. These assets are located at *(insert address)* and are valued at *(insert estimated value of each article)*

My outgoings are *weekly/monthly/fortnightly		My income is *weekly/monthly/fortnightly	
Rent/Mortgage	£	Wages	£
Council Tax	£	Benefits (specify)	£
Gas/electricity etc	£	Other (details)	£
Food	£		
Loans and credit	£		
Agreements	£		
Other (details)			
Total	£	Total	£

If you wish to provide more details please Attach a separate sheet

Number of Dependant children	Number of Dependent relatives
-------------------------------------	--------------------------------------

Please list details of all capital held, eg equity on house, amount in savings account, shares or other investments as necessary on a separate sheet

If appropriate, give details of any money adviser who has advised in the completion of this declaration

IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 28

Important Notice

With these papers is a copy of an Exceptional Attachment Order made by the court.

It shall be regarded as a breach of an Exceptional Attachment Order if you, the debtor, or any other person who knows that the Exceptional Attachment Order has been made—

1. moves any article that forms part of the debtor's non-essential assets from the dwellinghouse in which it is kept, or
2. or for the debtor to sell, make a gift of or otherwise relinquish ownership of any such article,

without the consent of the sheriff.

Any person who knows that an Exceptional Attachment Order has been made who willfully damages or destroys any article(s) which forms part of the debtor's non-essential assets before an attachment is executed shall be regarded as acting in breach of the order.

If at any time after an Exceptional Attachment Order has been made, an article which forms part of the debtor's non-essential assets is stolen, the debtor shall give notice to the creditor, the officer of court (if known) and the sheriff who granted the order of that fact, and of any related claim which the debtor makes, or intends to make, under a contract of insurance. Any failure by the debtor to give notice shall be regarded as a breach of the order.

IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR

Form 26Debt Arrangement and Attachment (Scotland) Act 2002, section 47(5)

Sheriff Court, (name).....

REPORT OF VISIT TO GIVE MONEY ADVICE

- 1

On (date) the sheriff made an order for a visit to (name) the debtor at (address).
--

- 2

The application for an Exceptional Attachment Order was continued until (date).

- 3

(State here that visit made to debtor or give details of attempts to make visit, also confirm whether money advice given to debtor. Unless confidential, state advice given to debtor)
--

- 4

(Report here on any matters ordered by the sheriff).
--

- 5

*The debtor indicated that he intends to attend court at the next hearing./The debtor will not attend the next hearing./I will attend the next hearing.

(Designation of money adviser and date of report)

* - delete as appropriate

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 31(1)

Sheriff Court, (name)

APPLICATION FOR
 CONSENT TO MOVE
 ANY ARTICLES,
 SELL, MAKE A GIFT
 OF OTHERWISE
 RELINQUISH
 OWNERSHIP

...../20....
 (Court Ref No)

(1) APPLICANT

delete* **A **The Applicant is**
*** The Debtor**

*** A person who knows the exceptional attachment Order was made**

(1) Insert name and address **B** **Other persons having an interest**
The Creditor (1)
**** The Debtor (1)**

**** The Officer of Court (1)**

(2) Insert name
(3) Insert address **C** **An exceptional attachment order was executed by (2)**
Officer of Court on the instructions of the Creditor
on 20 at (3)

(specify details of where and when auction to be held if this has been fixed) **D** **Among the articles attached was/were the following:-**
An auction of the attached article(s) has not yet taken place

*** The applicant seeks consent to move the above article(s) from the dwellinghouse**

*** The applicant seeks consent to *sell/make a gift of or otherwise relinquish ownership of the above article(s)**

(give reasons for application)

This application is made under Section 50(1)(a)(i) of the Debt Arrangement and Attachment (Scotland) Act 2002
The Applicant asks the court:-
1 To fix a Hearing
2 To order the Sheriff Clerk to intimate this application and the date of the hearing to the Applicant and to those persons stated above as having an interest and the Officer of Court who carried out the attachment
3* To consent to the removal of the article(s) from the dwellinghouse
4* To consent to the sale/making a gift of or to relinquishing of ownership of the article(s)
5 To award expenses (if competent)
(Done)

**delete as appropriate*

IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 34(1)

Sheriff Court, (name)

APPLICATION FOR RETURN OF ARTICLES SUBJECT TO EXCEPTIONAL ATTACHMENT/20.... (Court Ref No)	
	(1) REMOVED	APPLICANT
WHERE ATTACHMENT NOT COMPETENT (2)	A	The Applicant is the Debtor
WHERE AUCTION UNDULY HARSH OR (3) SENTIMENTAL VALUE	B	Other persons having an interest The Creditor (1) Officer of Court (1)
(1) Insert name and address	C	An exceptional attachment order was carried out by (2) Officer of Court on the instructions of the Creditor on 20 at (3)
(2) Insert name.	D	Among the articles attached was/were the following:- The(se) articles should be released from attachment * (a) as the attachment is not competent * (b) sale of the articles would be unduly harsh * (c) the article(s) is/are of sentimental value to the debtor and is/are likely to realise, on sale by auction, an aggregate amount not exceeding £150 (state reasons why application should be granted)
(3) Insert address		
*delete as appropriate		

This application is made under Section 55(2) of the Debt Arrangement and Attachment (Scotland) Act 2002

The Applicant asks the court:-

- 1 To fix a Hearing
- 2 To order the Sheriff Clerk to intimate this application and the date of the hearing to the Applicant, and the other persons having an interest
- 3 To order that attachment of the said article(s) is to cease to have effect
- 4 To order Officer of Court (2) to return the said articles(s) to the dwellinghouse at which it was/they were attached
- 5 To award expenses (if competent)

(Date)

IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR