

SCHEDULE 1

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

CHAPTER 3

ATTACHMENT: ARTICLES KEPT WITHIN DWELLINGHOUSES

Unlawful acts before attachment

31.—(1) The following applications shall be in form 27:—

- (a) an application by a debtor or a third party under section 50(1)(a) for consent to move any article which forms part of the assets to which an exceptional attachment order relates from the dwellinghouse in which it is kept; or
- (b) an application by the debtor under section 50(1)(b) for consent to sell, make a gift of, or otherwise relinquish ownership of any such article.

(2) On the lodging of an application under paragraph (1) the sheriff clerk shall—

- (a) fix a date for a hearing;
- (b) grant a warrant for intimation;
- (c) intimate the application and the warrant to the applicant, the creditor and (as appropriate) the debtor; and
- (d) complete a certificate of intimation.