

Status: This is the original version (as it was originally made).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

Schedule

Paragraph 2(13)

Form 16.16 Form of Service of copy final decree under section 73C of the Debtors (Scotland) Act 1987

Rule 16.16

1. Date *(date of service)*
To *(name and address of arrestee)*

2. On *(date)* the court granted decree against *(name of debtor)* for payment of £ *(insert sum)* to *(insert name of creditor)*. A copy of the final decree is attached.

3. An arrestment on the dependence of this action attaching funds in your hands was executed on *(insert date)*.

4. You are now required to release to the creditor, on the expiry of 14 weeks beginning with this date (or earlier where a mandate authorises you to do so) the lowest of—
 - (a) the sum attached by the arrestment;
 - (b) the sum due by you to the debtor; or
 - (c) the sum of £ *(insert sum)*, which is the sum calculated in accordance with section 73K(c) of the Debtors (Scotland) Act 1987.

5. This must be done unless:
 - (a) an application is made under section 73M(1) of the Debtors (Scotland) Act 1987;
 - (b) the debtor applies to the sheriff under section 73Q(2) of that Act;
 - (c) an action of multiplepointing is raised in relation to the funds attached by the arrestment; or
 - (d) the arrestment is recalled, restricted or otherwise ceases to have effect.

(Signed)

Date

Creditor

[or Solicitor for Creditor]

IF YOU ARE UNCERTAIN ABOUT THE EFFECT OF THIS DOCUMENT, you should consult a solicitor, Citizens Advice Bureau or other local advice agency or adviser immediately