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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 107**

**Act of Sederunt (Sheriff Court Rules  
Amendment) (Diligence) 2009**

**Amendment of the Act of Sederunt (Debt Arrangement and Attachment (Scotland) Act 2002) 2002**

7.—(1) The Rules for Applications in the Sheriff Court under the Debt Arrangement and Attachment (Scotland) Act 2002(1) are amended in accordance with subparagraphs (2) and (3).

(2) For rule 8(3) substitute—

“(3) An attachment schedule under section 13A(2) shall be in Form 3.”.

(3) For rule 22 substitute—

“22.—(1) Before making an order under section 33(4)(b) or (c) the sheriff shall—

- (a) order representations to be lodged by the persons mentioned in section 33(7)(a)(3) within such period as he considers appropriate; or
- (b) fix a date for a hearing.

(2) The sheriff clerk shall intimate any order of the sheriff under paragraph (1) to the persons mentioned in section 33(7)(a) and to the officer of court who prepared the report of the auction.

(3) Where the sheriff makes an order under section 33(4)(b) or (c) the sheriff clerk shall intimate it to the officer of court who prepared the report of the auction.”.

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(1) The rules are contained in Schedule 1 to [S.S.I. 2002/560](#) as amended by [S.S.I. 2004/505](#), [2007/466](#) and [2008/121](#).

(2) Section 13A was inserted by the Bankruptcy and Diligence etc. (Scotland) Act 2007, Schedule 5, paragraph 30(4).

(3) Section 33(7)(a) was amended by the Bankruptcy and Diligence etc. (Scotland) Act 2007, Schedule 5, paragraph 30(4).