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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 110**

**The Enforcement of Fines etc. (Diligence)  
(Scotland) Regulations 2009**

**Arrestment in execution**

2. Where an FEO executes an arrestment of funds standing in accounts held at any bank or other financial institution, the application of the following provisions of the Debtors (Scotland) Act 1987<sup>(1)</sup> shall be modified—

- (a) section 73D<sup>(2)</sup> (debt advice and information) shall have no application;
- (b) section 73G(2) (arrestee's duty of disclosure), so as to impose on the arrestee the duty to send to an FEO the form of disclosure by the arrestee, as prescribed by Schedule 8 to the Diligence (Scotland) Regulations 2009<sup>(3)</sup>; and
- (c) section 73J(2) (automatic release of arrested funds), so as to provide that the arrestee shall or may, as the case may be, release to an FEO, from the attached funds, a sum calculated in accordance with section 73K.

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(1) 1987 c. 18, as relevantly amended by the [Bankruptcy and Diligence etc. \(Scotland\) Act 2007 \(asp 3\)](#), section 206 which inserted new Part 3A.

(2) Section 73D of the Debtors (Scotland) Act 1987, inserted by section 206 of the Bankruptcy and Diligence etc. (Scotland) Act 2007, has not yet been commenced.

(3) [SSI 2009/68](#).