



Administration of Justice Act 1956

1956 CHAPTER 46 4 and 5 Eliz 2

PART V

ADMIRALTY JURISDICTION AND ARRESTMENT OF SHIPS IN SCOTLAND

[^{F1}Special provision in relation to charters by demise

[^{F1}47E Sale of ship arrested on the dependence of action against demise charterer

- (1) This section applies where—
 - (a) a ship is arrested on the dependence of an admiralty action against the demise charterer of it; and
 - (b) the pursuer obtains decree for payment for all or part of a principal sum concluded for in the action.
- (2) Where the owner or demise charterer of the ship—
 - (a) pays the sum due under the decree to—
 - (i) the pursuer; or
 - (ii) any person who has authority to receive payment on behalf of the pursuer; or
 - (b) tenders that sum to any of those persons and the tender is not accepted within a reasonable time,
the arrestment ceases to have effect.
- (3) The court may, on the application of the pursuer, make an order for the sale of the ship.
- (4) Subject to sections 47F and 47G below, the court shall rank any claims made on the proceeds.
- (5) A ship sold under subsection (3) above vests in the purchaser free of any security or other encumbrance.
- (6) The Court of Session may, by Act of Sederunt, make provision relating to proceedings under this section.]

*Changes to legislation: There are currently no known outstanding effects for the
Administration of Justice Act 1956, Section 47E. (See end of Document for details)*

Textual Amendments

- F1** Ss. 47E-47H and preceding cross-heading inserted (1.7.2010) by [Bankruptcy and Diligence etc. \(Scotland\) Act 2007 \(asp 3\)](#), ss. 213, 227(3), **Sch. 4 para. 12** (with s. 223); S.S.I. 2010/249, **art. 2**

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