



Debt Arrangement and Attachment (Scotland) Act 2002

2002 asp 17

[^{F1}PART 1A

INTERIM ATTACHMENT

Application for interim attachment

[^{F1}9C Application for warrant for interim attachment

- (1) A creditor may, at any time during which an action is in dependence, apply to the court for warrant for interim attachment.
- (2) An application under subsection (1) above shall—
 - (a) be in (or as nearly as may be in) the form prescribed by Act of Sederunt;
 - (b) subject to subsection (3) below, be intimated to and provide details of—
 - (i) the debtor; and
 - (ii) any other person having an interest;
 - (c) state whether the creditor is seeking the grant, under section 9D(1) below, of warrant for interim attachment in advance of a hearing on the application under section 9E below; and
 - (d) contain such other information as the Scottish Ministers may by regulations prescribe.
- (3) An application under subsection (1) above need not be intimated where the creditor is seeking the grant, under section 9D(1) below, of warrant in advance of a hearing on the application under section 9E below.
- (4) The court, on receiving an application under subsection (1) above, shall—
 - (a) subject to section 9D below, fix a date for a hearing on the application under section 9E below; and
 - (b) order the creditor to intimate that date to—
 - (i) the debtor; and
 - (ii) any other person appearing to the court to have an interest.]

Changes to legislation: There are currently no known outstanding effects for the Debt Arrangement and Attachment (Scotland) Act 2002, Section 9C. (See end of Document for details)

Textual Amendments

- F1** Pt. 1A inserted (1.4.2008) by [Bankruptcy and Diligence etc. \(Scotland\) Act 2007 \(asp 3\)](#), **ss. 173, 227(3)** (with s. 223); [S.S.I. 2008/115](#), art. 3(1)(c) (with arts. 4-6, 10, 15) (as amended: (23.2.2009) by [S.S.I. 2009/67](#), art. 7; (31.1.2011) by [S.S.I. 2011/31](#), art. 5(a); and (4.10.2014) by [S.S.I. 2014/173](#), arts. 1(2), 3)

Changes to legislation:

There are currently no known outstanding effects for the Debt Arrangement and Attachment (Scotland) Act 2002, Section 9C.