



# Debt Arrangement and Attachment (Scotland) Act 2002

2002 asp 17

## PART 2

### ATTACHMENT

#### *General and miscellaneous provisions*

#### **41 Ascription of sums recovered by attachment or while attachment is in effect**

- (1) This section applies to any amounts recovered by an attachment or paid to account of the amounts recoverable by the attachment while the attachment is in effect.
- (2) An amount to which this section applies shall be ascribed to the following in the order in which they are mentioned—
  - (a) the expenses already incurred in respect of—
    - (i) the attachment;
    - (ii) any previous diligence the expenses of which are chargeable against and recoverable from the debtor under section 40(4) above or section 93(5) of the Debtors (Scotland) Act 1987 (c.18);
  - (b) any interest, due under the decree or other document of debt on which the attachment proceeds, which has accrued at the date of execution of the attachment;
  - (c) any sum (including any expenses) due under the decree or other document of debt, other than any expenses or interest mentioned in paragraphs (a) and (b) above.

**Status:**

Point in time view as at 30/12/2002. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Debt Arrangement and Attachment (Scotland) Act 2002, Section 41.