

SCHEDULE 1

RULES FOR APPLICATIONS IN THE SHERIFF COURT UNDER THE DEBT ARRANGEMENT AND ATTACHMENT (SCOTLAND) ACT 2002

CHAPTER 3

ATTACHMENT: ARTICLES KEPT WITHIN DWELLINGHOUSES

Applying for consignment where article damaged, destroyed, lost, stolen or disposed of

33.—(1) An application under section 50(5) for an order against a debtor or third party to consign a sum of money in relation to an article which has been damaged, destroyed, lost, stolen or disposed of for value shall be in form 7.

(2) On the lodging of such an application the sheriff clerk shall—

- (a) fix a date for a hearing;
- (b) grant a warrant for intimation;
- (c) intimate the application and warrant to the applicant, the officer of court who executed the attachment, the person in respect of whom an order for consignment is sought and (as appropriate) the debtor or creditor; and
- (d) complete a certificate of intimation.

(3) The officer of court who executed the attachment shall lodge with the sheriff clerk a copy of the attachment schedule before the date fixed for the hearing.