
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 104

**The Enforcement of Fines (Diligence)
(Scotland) Regulations 2008**

Arrestment in execution

3.—(1) Where an FEO executes an arrestment of funds standing in accounts held at any bank or other financial institution—

- (a) the application of sections 1 and 2 of the Execution of Diligence (Scotland) Act 1926⁽¹⁾ shall be modified so as to extend to an FEO the authority to execute the arrestment in execution;
- (b) it shall be competent for an FEO to enforce payment of more than one relevant penalty payable to him by the same offender by means of a single arrestment in execution, whether the arrestment is executed in pursuance of the same warrant or of 2, or more, different warrants authorising diligence; and
- (c) on the cessation of an arrestment in execution, following either the payment of the relevant penalty or the recall of the arrestment, the FEO shall, as soon as is reasonably practicable, inform the arrestee in writing that this is the case.

(2) In this regulation—

“arrestee” means a bank or other financial institution with which an offender has an account in respect of which an arrestment in execution has been carried out; and

“relevant penalty” has the meaning given in section 226I of the Criminal Procedure (Scotland) Act 1995.