

---

STATUTORY INSTRUMENTS

---

**1988 No. 2013**

Act of Sederunt (Proceedings in the Sheriff Court  
under the Debtors (Scotland) Act 1987) 1988

PART II

EXTENSION OF TIME TO PAY DEBTS AND RELATED MATTERS

**Applications for variation or recall of time to pay orders, poindings or arrestments.**

6.—(1) An application under section 10(1) of the Act for an order for variation or recall of a time to pay order or, where appropriate, for recall of a poinding or for recall or restriction of an arrestment shall be in form 3.

(2) An application to which paragraph (1) of this rule applies shall be lodged with the sheriff clerk who shall—

- (a) fix a date for the hearing of the application (which date shall be not less than 7 days from the date of intimation made under sub-paragraph (c) of this paragraph);
- (b) obtain from the sheriff a warrant to intimate the application to the debtor and the creditor;
- (c) intimate the application and warrant to the debtor and the creditor; and
- (d) complete a certificate of intimation.

(3) The sheriff may, where he considers it appropriate, make an order requiring any person in possession of a summons or other writ or who holds an execution of diligence in respect of the debt to deliver it to the court.