

Debt Arrangement and Attachment (Scotland) Act 2002 sections 21(11), and 50(5)

Sheriff Court

(name)

Court Ref. No.

200

APPLICATION FOR CONSIGNATION WHERE ARTICLES HAVE BEEN DAMAGED, DESTROYED, LOST, STOLEN OR DISPOSED OF		(1) APPLICANT
* give details of creditor if Applicant is Officer of court	A	The Applicant is * The Creditor/ An Officer of Court on behalf of the Creditor
(1) Insert name and address	B	Other persons having an interest (1) The Debtor (1) The person in respect of whom an order for consignation is sought
(2) Insert name	C	Decree was granted in an action by the Creditor(s) (2) in the Court of Session/Sheriff Court at on 200 against the Debtor(s) (2) <i>(or give details of other document or summary warrant on which the attachment proceeded)</i>
(3) Insert address	D	*An attachment was executed on 200 by (1) Officer of Court at (3) * An exceptional attachment order was granted on 200 , and executed on 200 by (2) Officer of Court at (3).

<p><i>* delete as appropriate</i></p> <p><i>Give details as far as known of circumstances in which the article(s) was/were damaged, lost, stolen or disposed of</i></p>	<p>E</p>	<p>Among the articles attached was/were the following which was/were valued at £ and which the said (2) knew had been attached.</p> <p>* The article(s) having been removed from the premises in breach of attachment has/have been *damaged/*destroyed/*lost/*passed onto another without knowledge of the attachment and for value.</p> <p>* The said damaged article(s) is/are now valued at £</p>
		<p>This application is made under Section 21(11)/50(5) of the Debt Arrangement and Attachment (Scotland) Act 2002.</p> <p>The Applicant asks the Court:-</p> <p>1 To fix a Hearing</p> <p>2 To order the Sheriff Clerk to intimate this application and the date of the hearing to the Applicant, to those persons stated above as having an interest and the Officer of Court who carried out the attachment.</p> <p>3 To order the said (2)</p> <p>-----</p> <p>to consign £</p> <p>-----</p> <p>in court being:</p> <p>(i) the difference between the value of the article fixed on attachment and the value of the article as damaged</p> <p>or</p> <p>(ii) the value fixed on attachment, and/or the value of the article(s).</p> <p>4 To award expenses (if competent)</p> <p> </p> <p><i>(Date)</i></p>
<p>IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/ LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR</p>		