

**ACT OF SEDERUNT (SHERIFF COURT ORDINARY CAUSE RULES) 1993  
No.1956 (S.223)**

**SCHEDULE 1**

*Initiation and progress of causes*

**CHAPTER 6 ARRESTMENT**

**(for arrestments on the dependence made prior to 1 April 2008)**

- [6.1.](#) Service of schedule of arrestment
- [6.2.](#) Arrestment on dependence before service
- [6.3.](#) Movement of arrested property

**Service of schedule of arrestment**

6.1. If a schedule of arrestment has not been personally served on an arrestee, the arrestment shall have effect only if a copy of the schedule is also sent by registered post or the first class recorded delivery service to-

- (a) the last known place of residence of the arrestee, or
- (b) if such place of residence is not known, or if the arrestee is a firm or corporation, to the arrestee's principal place of business if known, or, if not known, to any known place of business of the arrestee;

and the sheriff officer shall, on the certificate of execution, certify that this has been done and specify the address to which the copy of the schedule was sent.

**Arrestment on dependence before service**

6.2. (1) An arrestment on the dependence of a cause used before service shall cease to have effect unless-

- (a) the initial writ is served within 20 days from the date of arrestment; and
- (b) in the case of an undefended cause, decree in absence has been pronounced within 20 days after the expiry of the period of notice.

(2) After such an arrestment has been executed, the party who executed it shall forthwith report the execution to the sheriff clerk.

**Movement of arrested property**

6.3. (1) Any person having an interest may apply by motion for a warrant authorising the movement of a vessel or cargo which is the subject of an arrestment to found jurisdiction or on the dependence of a cause.

(2) Where the court grants a warrant sought under paragraph (1), it may make such further order as it thinks fit to give effect to that warrant.