



Debt Arrangement and Attachment (Scotland) Act 2002

2002 asp 17

PART 2

ATTACHMENT

General and miscellaneous provisions

34 Articles belonging to a third party

- (1) Where at any time before an attached article is auctioned—
 - (a) a third party claims to own the article; and
 - (b) either—
 - (i) the officer is satisfied that the claim is valid and neither the debtor nor any other person in possession of the article disputes the claim; or
 - (ii) the sheriff, on an application by the third party, makes an order stating that the sheriff is so satisfied,

the attachment of that article is to cease to have effect.
- (2) The making of an application to the sheriff for the purposes of subsection (1)(b)(ii) above does not preclude the third party making the application from taking any other proceedings for the recovery of an article which is owned by the third party.
- (3) Where the attachment of an article ceases, under subsection (1) above, to have effect, the officer may attach other articles which are owned by the debtor and kept at the place at which the original attachment was executed.