

SCHEDULE

Paragraph 2(7).

Rule 16.15(1)(a)(i)

FORM 16.15-A

Form of schedule of arrestment to found jurisdiction

SCHEDULE OF ARRESTMENT TO FOUND JURISDICTION

Date: *(date of execution)*

Time: *(time arrestment executed)*

To: *(name and address of arrestee)*

IN HER MAJESTY'S NAME AND AUTHORITY, I, *(name)*, Messenger-at-Arms, by virtue of a summons containing a warrant for arrestment to found jurisdiction, at the instance of *(name and address of pursuer)* against *(name and address of defender)* and signeted on *(date)*, arrest to found jurisdiction against *(name of defender)* in your hands: (i) the sum of *(amount)*, more or less, due by you to *(name of defender)* or to any other person on his [*or her*] [*or its*] [*or their*] behalf; and (ii) all moveable subjects in your hands and belonging or pertaining to *(name of defender)*.

This I do in the presence of *(name, occupation and address of witness)*.

*(Signed)*

Messenger-at-Arms

*(Address)*

**NOTE**

*(Do not use this note where arrestment to found jurisdiction is combined with arrestment on the dependence in one schedule)*

This schedule arrests in your hands debts due by you to the defender mentioned in the schedule and goods and other moveables held by you on his behalf. It does so solely for the purpose of establishing the jurisdiction of the Court of Session over the defender.

**IF YOU ARE UNCERTAIN ABOUT THE EFFECT OF THIS DOCUMENT, you should consult a solicitor, Citizens Advice Bureau or other local advice agency or adviser immediately.**

Rule 16.15(1)(a)(ii)

FORM 16.15-AA

Form of schedule of arrestment of ship to found jurisdiction

SCHEDULE OF ARRESTMENT OF SHIP TO FOUND JURISDICTION

Date: *(date of execution)*

Time: *(time arrestment executed)*

IN HER MAJESTY'S NAME AND AUTHORITY, I, *(name)*, Messenger-at-Arms, by virtue of a summons containing a warrant for arrestment to found jurisdiction, at the instance of *(name and address of pursuer)* against *(name and address of defender)* and signeted on *(date)*, arrest to found jurisdiction against *(name of defender)* the ship *(name)* presently lying in *(describe location)* and belonging to the defender.

This I do in the presence of *(name, occupation and address of witness)*.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(Signed)

Messenger-at-Arms

(Address)

**NOTE**

You should consult your legal adviser about the effect of this arrestment.

(The name, address and twenty-four hour contact telephone number of the agent for the party on whose behalf the arrestment was executed are to be inserted here.)

(Name of agent)

(address)

(telephone number).

Rule 16.15(1)(b) and (e)(i)

## FORM 16.15-B

### Form of schedule of arrestment on the dependence

#### SCHEDULE OF ARRESTMENT ON THE DEPENDENCE

Date: (date of execution)

Time: (time arrestment executed)

To: (name and address of arrestee)

IN HER MAJESTY'S NAME AND AUTHORITY, I, (name), Messenger-at-Arms, by virtue of

\* a summons containing a warrant for arrestment on the dependence of the action at the instance of (name and address of pursuer) against (name and address of defender) signeted on (date),

\* a counterclaim containing a warrant which has been granted for arrestment on the dependence of the claim by (name and address of creditor) against (name and address of debtor) and dated (date of warrant),

\* an order of [Lord (name) in] the Court of Session dated (date of order) granting warrant [for arrestment on the dependence of the action raised at the instance of (name and address of pursuer) against (name and address of defender)] [or for arrestment on the dependence of the claim in the counterclaim [or third party notice] by (name and address of creditor) against (name and address of debtor)] [or to arrest in the petition of (name and address of petitioner) against (name and address of respondent), arrest in your hands (i) the sum of (amount), more or less, due by you to (defender's name) [or name and address of common debtor if common debtor is not the defender] or to any other person on his [or her] [or its] [or their] behalf; and (ii) all moveable things in your hands belonging or pertaining to the said (name of common debtor), to remain in your hands under arrestment until they are made furthcoming to (name or pursuer) [or name and address of creditor if he is not the pursuer] or until further order of the court.

This I do in the presence of (name, occupation and address of witness).

(Signed)

Messenger-at-Arms

(Address)

**NOTE**

This schedule arrests in your hands (i) debts due by you to (name of common debtor); and (ii) goods and other moveables held by you for him. **You should not pay any debts to him or hand over any goods or other moveables to him without taking legal advice.**

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**IF YOU ARE UNCERTAIN ABOUT THE EFFECT OF THIS DOCUMENT, you should consult a solicitor, Citizens Advice Bureau or other local advice agency or adviser immediately.**

\* Delete where not applicable.  
Rule 16.15(1) (e)(ii)

## FORM 16.15-BB

Form of schedule of arrestment of ship on the dependence

### SCHEDULE OF ARRESTMENT OF SHIP ON THE DEPENDENCE

Date: *(date of execution)*

Time: *(time arrestment executed)*

IN HER MAJESTY'S NAME AND AUTHORITY, I, *(name)*, Messenger-at-Arms, by virtue of–

\* a summons containing a warrant for arrestment on the dependence of the action at the instance of *(name and address of pursuer)* against *(name and address of defender)* signeted on *(date)*,

\* a counterclaim containing a warrant which has been granted for arrestment on the dependence of the claim by *(name and address of creditor)* against *(name and address of debtor)* and dated *(date of warrant)*,

\* an order of [Lord *(name)* in] the Court of Session dated *(date of order)* granting warrant [for arrestment on the dependence of the action raised at the instance of *(name and address of pursuer)* against *(name and address of defender)*] [or for arrestment on the dependence of the claim in the counterclaim [or third party notice] by *(name and address of creditor)* against *(name and address of debtor)*] [or to arrest in the petition of *(name and address of petitioner)* against *(name and address of respondent)*], arrest the ship *(name of ship)* presently lying in *(describe current location e.g. the port of X)* to remain in that *(more precisely if required)* under arrestment on the dependence of the action [or claim] until further order of the court.

This I do in the presence of *(name, occupation and address of witness)*.

*(Signed)*

Messenger-at-Arms

*(Address)*

### NOTE

You should consult your legal adviser about the effect of this arrestment.

(The name, address and twenty-four hour contact telephone number of the agent for the party on whose behalf the arrestment was executed are to be inserted here.)

*(Name of agent)*

*(address)*

*(telephone number)*,

\* Delete where not applicable.

Rule 16.15(1)(c)

## FORM 16.15-C

Form of schedule of arrestment in *rem* of ship, cargo or other maritime *res* to enforce maritime hypothec or lien

### SCHEDULE OF ARRESTMENT IN *REM* IN ADMIRALTY ACTION IN *REM*

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Date: *(date of execution)*

Time: *(time of arrestment executed)*

IN HER MAJESTY'S NAME AND AUTHORITY, I, *(name)*, Messenger-at-Arms, by virtue of a summons containing a warrant for arrestment *in rem* of the ship *(name of ship)* [or cargo *(describe)*] [or other maritime *res (describe)*] in an Admiralty action *in rem* at the instance of *(name and address of pursuer)* against *(name and address of defender)* and signeted on *(date)*, arrest the ship *(name)* presently lying in *(describe current location e.g. the port of X)* with her boats, furniture, appurtenances and apparelling [or cargo] [or other maritime *res*] *(describe location)*], to remain in that *(specify, more precisely if required)* under arrestment *in rem* until sold or until this arrestment is recalled or until other order of the court.

This I do in the presence of *(name, occupation and address of witness)*.

*(Signed)*

Messenger-at-Arms

*(Address)*

#### **NOTE**

You should consult your legal adviser about the effects of this arrestment.

(The name, address and twenty-four hour contact telephone number of the agent for the party on whose behalf the arrestment was executed are to be inserted here.)

*(Name of agent)*

*(Address)*

*(Telephone number)*

Rule 16.15(1)(d)

## **FORM 16.15-D**

Form of schedule of arrestment *in rem* of ship to enforce non-pecuniary claim

SCHEDULE OF ARRESTMENT *IN REM* OF SHIP UNDER THE ADMINISTRATION OF JUSTICE ACT 1956, SECTION 47(3)(b)

Date: *(date of execution)*

Time: *(time of arrestment executed)*

IN HER MAJESTY'S NAME AND AUTHORITY, I, *(name)*, Messenger-at-Arms, by virtue of—

\* an order of Lord *(name)* in the Court of Session dated *(date of order)* granting warrant for arrestment *in rem* under section 47(3)(b) of the Administration of Justice Act 1956 of the ship *(name of ship)* in an action,

\* a summons containing a warrant for arrestment *in rem* under section 47(3)(b) of the Administration of Justice Act 1956 of the ship *(name of ship)*, at the instance of *(name and address of pursuer)* against *(name and address of defender)* and signeted on *(date)*, arrest the [ship] [or vessel] *(name)* presently lying in *(describe current location e.g. the port of X)* with her boats, furniture, appurtenances and apparelling to remain in that place *(specify, more precisely if required)* under arrestment *in rem* until this arrestment is recalled or other order of the court.

This I do in the presence of *(name, occupation and address of witness)*.

*(Signed)*

Messenger-at-Arms

*(Address)*

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**NOTE**

You should consult your legal adviser about the effects of this arrestment.

(The name, address and twenty-four hour contact telephone number of the agent for the party on whose behalf the arrestment was executed are to be inserted here.)

*(Name of agent)*

*(Address)*

*(Telephone number)*

\* Delete where not applicable.

Rule 16.15(1)(a)(ii)

**FORM 16.15-HH**

**Form of certificate of arrestment of ship to found jurisdiction**

**CERTIFICATE OF EXECUTION OF ARRESTMENT OF SHIP TO FOUND JURISDICTION**

I, *(name)*, Messenger-at-Arms, certify that I, by virtue of a summons containing a warrant for arrestment to found jurisdiction, executed an arrestment of the ship *(name)* at the instance of *(name and address of pursuer)* against *(name and address of defender)* by affixing the schedule of arrestment to the mainmast [*or as the case may be*] of the ship *(name)* and marked the initials ER above that affixed schedule at *(place)* on *(date)*.

I did this in the presence of *(name, occupation and address of witness)*.

*(Signed)*

Messenger-at-Arms

*(Address)*

*(Signed)*

Witness