

CHAPTER 59

APPLICATIONS FOR LETTERS

Applications for letters of arrestment or inhibition

59.1.-(1) An application for letters of arrestment may be made, as the case may be, in-

(a) Form 59.1-A (arrestment);

(2) An application under paragraph (1) shall be presented to the Deputy Principal Clerk together with any relevant supporting documents.

(3) If the Deputy Principal Clerk is satisfied that the applicant for such letters is entitled to a warrant for arrestment -

(a) he shall sign and date the warrant in such an application; and

(b) the application shall be signeted;

and such signeted application and warrant shall constitute letters of arrestment or inhibition, as the case may be.

(4) If the Deputy Principal Clerk refuses to sign and date such warrant, the application shall, on request, be placed before the Lord Ordinary; and the decision of the Lord Ordinary shall be final and not subject to review.

(5) An application for letters of arrestment on the dependence of an action to which a claim under section 19 of the Family Law (Scotland) Act 1985 (a) applies shall be placed before the Lord Ordinary; and the decision of the Lord Ordinary shall be final and not subject to review.

(a) 1985 c.37.