



Bankruptcy and Diligence etc. (Scotland) Act 2007

2007 asp 3

PART 17

GENERAL AND MISCELLANEOUS

221 Interpretation

In this Act—

the “1985 Act” means the Bankruptcy (Scotland) Act 1985 (c. 66);

the “1987 Act” means the Debtors (Scotland) Act 1987 (c. 18);

the “2002 Act” means the Debt Arrangement and Attachment (Scotland) Act 2002 (asp 17);

“certified electronic signature” is to be read in accordance with section 7(2) and (3) of the Electronic Communications Act 2000 (c. 7);

the “Commission” means the Scottish Civil Enforcement Commission;

“debt advice and information package” has the meaning given by section 81(8) of this Act;

“decree” means—

- (a) a decree of the Court of Session, of the High Court of Justiciary or of the sheriff;
- (b) a decree of the Court of Teinds;
- (c) a summary warrant;
- (d) a civil judgement granted outside Scotland by a court, tribunal or arbiter which, by virtue of any enactment or rule of law, is enforceable in Scotland;
- (e) an order or determination which, by virtue of any enactment, is enforceable as if it were an extract registered decree arbitral bearing a warrant for execution granted by the sheriff;
- (f) a warrant granted in criminal proceedings for enforcement by civil diligence;
- (g) an order under section 114 of the Companies Clauses Consolidation (Scotland) Act 1845 (c. 17);

Status: This is the original version (as it was originally enacted).

- (h) a determination under section 46 of the Harbours, Docks and Piers Clauses Act 1847 (c. 27); or
- (i) a liability order within the meaning of section 33(2) of the Child Support Act 1991 (c. 48);

“document of debt” means—

- (a) a document registered for execution in the Books of Council and Session or in the sheriff court books;
- (b) a bill protested for non-payment by a notary public; or
- (c) a document or settlement which, by virtue of an Order in Council made under section 13 of the Civil Jurisdiction and Judgments Act 1982 (c. 27), is enforceable in Scotland;

“electronic communication” has the meaning given by section 15(1) of the Electronic Communications Act 2000 (c. 7);

“judicial officer” shall be construed in accordance with section 57(1) of this Act; and

“professional association” shall be construed in accordance with section 63(1)(a) of this Act.