
SCOTTISH STATUTORY INSTRUMENTS

2000 No. 189

**ENFORCEMENT
DILIGENCE**

**The Debtors (Scotland) Act 1987
(Amendment) Regulations 2000**

<i>Made</i>	- - - -	<i>14th June 2000</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>15th June 2000</i>
<i>Coming into force</i>	- -	<i>10th July 2000</i>

The Scottish Ministers, in exercise of the powers conferred upon them by sections 1(5)(a), 5(4)(a), 16(1)(b) and (d) and (3) of, and paragraph 1(1)(b) and (d) and (3) of Schedule 5 to, the Debtors (Scotland) Act 1987(1) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement and interpretation

1.—(1) These Regulations may be cited as the Debtors (Scotland) Act 1987 (Amendment) Regulations 2000 and shall come into force on 10th July 2000.

(2) In these Regulations, “the Act” means the Debtors (Scotland) Act 1987.

Time to pay directions and orders

2. For the purposes of sections 1(5)(a) (competence of time to pay direction) and 5(4)(a) (competence of time to pay order) of the Act, the amount prescribed is “£25,000”.

Articles exempt from poinding

3.—(1) For the purposes of paragraphs (b) and (d) of section 16(1) (articles exempt from poinding) of, and paragraphs (b) and (d) of paragraph 1(1) of Schedule 5 (articles exempt from poinding in pursuance of summary warrant) to, the Act, the amount prescribed is “£1,000”.

(1) 1987 c. 18. The functions of the Lord Advocate were transferred to the Secretary of State by virtue of the Transfer of Functions (Lord Advocate and Secretary of State) Order 1999 (S.I.1999/678), and to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

Status: This is the original version (as it was originally made).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

(2) At the end of both section 16(2) (articles exempt from poinding) and paragraph 1(2) of Schedule 5 (articles exempt from poinding in pursuance of summary warrant) to the Act, there is inserted–

- “(r) computers and accessory equipment;
- (s) microwave ovens;
- (t) radios;
- (u) telephones;
- (v) televisions.”.

St Andrew’s House,
Edinburgh
14th June 2000

JAMES R WALLACE
A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Debtors (Scotland) Act 1987 (“the Act”) so as to–

- (a) increase from £10,000 to £25,000 the amount of money prescribed in section 1(5)(a) of the Act, which is the limit to which it is competent for a court to make a time to pay direction (regulation 2);
- (b) increase from £10,000 to £25,000 the amount of money prescribed in section 5(4)(a) of the Act, which is the limit to which it is competent for a sheriff to make a time to pay order (regulation 2);
- (c) increase from £500 to £1,000 the aggregate values of articles exempt from poinding in terms of section 16(1)(b) and (d) of and paragraph 1(1)(b) and (d) of Schedule 5 to the Act (regulation 3(1));
- (d) add to the list of articles in section 16(2) of and paragraph 1(2) of Schedule 5 to the Act that shall be exempt for poinding in terms of those provisions (regulation 3(2)).