



Debtors (Scotland) Act 1987

1987 CHAPTER 18

PART VII

MISCELLANEOUS AND GENERAL

106 Interpretation.

In this Act—

“current maintenance” has the meaning given to it in section 73(1) of this Act;

“earnings” has the meaning given to it in section 73(2) of this Act;

“employer” has the meaning given to it in section 73(1) of this Act;

[^{F1}“levying authority” has the meaning assigned to it in paragraph 1 of Schedule 2 to the Abolition of Domestic Rates Etc. (Scotland) Act 1987 and, in relation to community water charges, means the regional or islands council;]

“maintenance” means periodical sums payable under a maintenance order;

“maintenance order” means—

- (a) an order granted by a court in Scotland for payment of a periodical allowance on divorce or on the granting of a declarator of nullity of marriage, or for aliment;
- (b) an order under section 43 or 44 of the ^{M1}National Assistance Act 1948, section 23 or 24 of the ^{M2}Ministry of Social Security Act 1966, section 80 or 81 of the ^{M3}Social Work (Scotland) Act 1968, section 11(3) of the ^{M4}Guardianship Act 1973, section 18 or 19 of the ^{M5}Supplementary Benefits Act 1976, section 50 or 51 of the ^{M6}Child Care Act 1980 or section 24 or 25 of the ^{M7}Social Security Act 1986;
- (c) an order of a court in England and Wales or Northern Ireland registered in Scotland under Part II of the ^{M8}Maintenance Orders Act 1950;
- (d) a provisional order of a reciprocating country which is confirmed by a court in Scotland under Part I of the ^{M9}Maintenance Orders (Reciprocal Enforcement) Act 1972;

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: Debtors (Scotland) Act 1987, Section 106 is up to date with all changes known to be in force on or before 13 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (e) an order of a reciprocating country which is registered in Scotland under that Part of that Act;
- (f) an order registered in Scotland under Part II, or under an Order in Council made in pursuance of Part III, of that Act;
- (g) an order registered in Scotland under section 5 of the ^{M10}Civil Jurisdiction and Judgments Act 1982; or
- (h) an alimentary bond or agreement (including a document providing for the maintenance of one party to a marriage by the other after the marriage has been dissolved or annulled)—
 - (i) registered for execution in the Books of Council and Session or sheriff court books; or
 - (ii) registered in Scotland under an Order in Council made under section 13 of the Civil Jurisdiction and Judgments Act 1982;

“net earnings” has the meaning given to it in section 73(1) of this Act;
 “officer of court” means a messenger-at-arms or a sheriff officer;
 “ordinary debt” has the meaning given to it in section 73(1) of this Act;
 “summary warrant” means a summary warrant granted under or by virtue of ^{F2}paragraph 7 of Schedule 2 to the Abolition of Domestic Rates Etc. (Scotland) Act 1987 or] any of the enactments mentioned in Schedule 4 to this Act;
 “warrant of sale” has the meaning given in section 30 of this Act.

Textual Amendments

- F1** Definition inserted by [Abolition of Domestic Rates Etc. \(Scotland\) Act 1987 \(c. 47, SIF 81:2\), s. 33\(c\)\(i\)](#)
- F2** Words inserted by [Abolition of Domestic Rates Etc. \(Scotland\) Act 1987 \(c. 47, SIF 81:2\), s. 33\(c\)\(ii\)](#)

Marginal Citations

- M1** 1948 c. 29.
M2 1966 c. 20.
M3 1968 c. 49.
M4 1973 c. 29.
M5 1976 c. 71.
M6 1980 c. 5.
M7 1986 c. 50.
M8 1950 c. 37.
M9 1972 c. 18.
M10 1982 c. 27.

Status:

Point in time view as at 01/02/1991. This version of this provision has been superseded.

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