



Debtors (Scotland) Act 1987

1987 CHAPTER 18

PART II

POINDINGS AND WARRANT SALES

Poining

16 Articles exempt from poining.

- (1) The following articles belonging to a debtor shall be exempt from poining at the instance of a creditor in respect of a debt due to him by the debtor—
 - (a) clothing reasonably required for the use of the debtor or any member of his household;
 - (b) implements, tools of trade, books or other equipment reasonably required for the use of the debtor or any member of his household in the practice of the debtor's or such member's profession, trade or business, not exceeding in aggregate value £500 or such amount as may be prescribed in regulations made by the Lord Advocate;
 - (c) medical aids or medical equipment reasonably required for the use of the debtor or any member of his household;
 - (d) books or other articles reasonably required for the education or training of the debtor or any member of his household not exceeding in aggregate value £500 or such amount as may be prescribed in regulations made by the Lord Advocate;
 - (e) toys for the use of any child who is a member of the debtor's household;
 - (f) articles reasonably required for the care or upbringing of a child who is a member of the debtor's household.
- (2) The following articles belonging to a debtor shall be exempt from poining if they are at the time of the poining in a dwellinghouse and are reasonably required for the use in the dwellinghouse of the person residing there or a member of his household—
 - (a) beds or bedding;
 - (b) household linen;

Status: Point in time view as at 01/07/1997. This version of this provision has been superseded.

Changes to legislation: Debtors (Scotland) Act 1987, Section 16 is up to date with all changes known to be in force on or before 24 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)

- (c) chairs or settees;
 - (d) tables;
 - (e) food;
 - (f) lights or light fittings;
 - (g) heating appliances;
 - (h) curtains;
 - (j) floor coverings;
 - (k) furniture, equipment or utensils used for cooking, storing or eating food;
 - (l) refrigerators;
 - (m) articles used for cleaning, mending, or pressing clothes;
 - (n) articles used for cleaning the dwellinghouse;
 - (o) furniture used for storing—
 - (i) clothing, bedding or household linen;
 - (ii) articles used for cleaning the dwellinghouse; or
 - (iii) utensils used for cooking or eating food;
 - (p) articles used for safety in the dwellinghouse;
 - (q) tools used for maintenance or repair of the dwellinghouse or of household articles.
- (3) The Lord Advocate may by regulations add to the list set out in subsection (2) above, or delete or vary any of the items contained in that list.
- (4) If, on an application made within 14 days after the date of the execution of the pouncing—
- (a) by the debtor or any person who owns a pointed article in common with the debtor; or
 - (b) by any person in possession of a pointed article,
- the sheriff is satisfied that the article is exempt from pouncing under this section, he shall make an order releasing the article from the pouncing.

Status:

Point in time view as at 01/07/1997. This version of this provision has been superseded.

Changes to legislation:

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