
STATUTORY INSTRUMENTS

1992 No. 2964 (S.243)

SHERIFF COURT, SCOTLAND

Act of Sederunt (Proceedings in the Sheriff Court under the Debtors (Scotland) Act 1987) (Amendment) 1992

Made - - - - - *25th November 1992*

Coming into force - - - - - *17th December 1992*

The Lords of Council and Session, under and by virtue of the powers conferred on them by section 32 of the Sheriff Courts (Scotland) Act 1971(1) and paragraph 2(2) of Schedule 8 to the Local Government Finance Act 1992(2) and of all other powers enabling them in that behalf, having approved draft rules submitted to them by the Sheriff Court Rules Council in accordance with section 34 of the said Act of 1971, do hereby enact and declare:

Citation and commencement

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Proceedings in the Sheriff Court under the Debtors (Scotland) Act 1987) (Amendment) 1992 and shall come into force on 17th December 1992.

(2) This Act of Sederunt shall be inserted in the Books of Sederunt.

Amendment of Act of Sederunt (Proceedings in the Sheriff Court under the Debtors (Scotland) Act 1987) 1988

2.—(1) The Act of Sederunt (Proceedings in the Sheriff Court under the Debtors (Scotland) Act 1987) 1988(3) shall be amended in accordance with the following sub-paragraphs.

(2) In rule 68(1), after sub-paragraph (b), insert the following:—

“or

(c) arrears of council tax and council water charge or penalties under paragraph 2 of Schedule 8 to the Local Government Finance Act 1992,”.

(3) In the heading of Form 61, after paragraph 2, insert the following paragraph:—

(1) 1971 c. 58; section 32 was amended by paragraph 12 of Schedule 2 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73) and by section 2(4) of the Civil Evidence (Scotland) Act 1988 (c. 32); and was extended *inter alia* by section 97 of the Debtors (Scotland) Act 1987 (c. 18).

(2) 1992 c. 14.

(3) S.I.1988/2013; relevant amending instrument is S.I. 1991/1920.

Status: This is the original version (as it was originally made).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

“3. Council tax and council water charge or penalties under paragraph 2 of Schedule 8 to the Local Government Finance Act 1992.”.

Edinburgh,
25th November 1992

J.A.D. Hope
Lord President, I.P.D.

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EXPLANATORY NOTE

(This note is not part of the Act of Sederunt)

This Act of Sederunt amends the Act of Sederunt (Proceedings in the Sheriff Court under the Debtors (Scotland) Act 1987) 1988 to make provision for enforcement action for non payment of council tax and council water charge or penalties levied under the Local Government Finance Act 1992, by summary warrant procedure.