
STATUTORY INSTRUMENTS

1995 No. 2878 (S.211)

ENFORCEMENT

DILIGENCE

**The Diligence against Earnings
(Variation) (Scotland) Regulations 1995**

<i>Made</i>	- - - -	<i>23rd October 1995</i>
<i>Laid before Parliament</i>		<i>8th November 1995</i>
<i>Coming into force</i>	- -	<i>30th November 1995</i>

The Lord Advocate, in exercise of the powers conferred on him by sections 49(7)(a), 53(3) and 63(6) of the Debtors (Scotland) Act 1987(1), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Diligence against Earnings (Variation) (Scotland) Regulations 1995 and shall come into force on 30th November 1995.

Rate of deductions in diligence against earnings

2. In each of sections 53(2)(b) and 63(4)(b) of the Debtors (Scotland) Act 1987 (which make provision as respects the sum to be deducted from earnings by an employer in certain cases), for “£5” there shall be substituted “£9”.

3. For Tables A, B and C of Schedule 2 to that Act (which sets out the deductions to be made under earnings arrestments), there shall be substituted respectively Tables A, B and C set out in the Schedule to these Regulations.

Lord Advocate’s Chambers
23rd October 1995

Rodger of Earlsferry
Lord Advocate

SCHEDULE

Regulation 3

ARRESTMENT

TABLE A:

DEDUCTIONS FROM WEEKLY EARNINGS

Net Earnings	Deduction
Not exceeding £63	Nil
Exceeding £63 but not exceeding £75	£2.00
Exceeding £75 but not exceeding £80	£4.00
Exceeding £80 but not exceeding £85	£5.00
Exceeding £85 but not exceeding £95	£6.00
Exceeding £95 but not exceeding £105	£8.00
Exceeding £105 but not exceeding £115	£10.00
Exceeding £115 but not exceeding £125	£12.00
Exceeding £125 but not exceeding £135	£14.00
Exceeding £135 but not exceeding £145	£16.00
Exceeding £145 but not exceeding £155	£18.00
Exceeding £155 but not exceeding £165	£20.00
Exceeding £165 but not exceeding £175	£22.00
Exceeding £175 but not exceeding £185	£24.00
Exceeding £185 but not exceeding £195	£27.00
Exceeding £195 but not exceeding £210	£30.00
Exceeding £210 but not exceeding £230	£34.00
Exceeding £230 but not exceeding £250	£38.00
Exceeding £250 but not exceeding £270	£42.00
Exceeding £270 but not exceeding £290	£47.00
Exceeding £290 but not exceeding £310	£52.00
Exceeding £310 but not exceeding £330	£57.00
Exceeding £330 but not exceeding £350	£62.00
Exceeding £350 but not exceeding £370	£68.00
Exceeding £370 but not exceeding £400	£82.00
Exceeding £400 but not exceeding £430	£97.00
Exceeding £430 but not exceeding £460	£113.00
Exceeding £460 but not exceeding £500	£131.00
Exceeding £500 but not exceeding £540	£149.00

Net Earnings	Deduction
Exceeding £540	£149.00 in respect of the first £540 plus 50 per cent of the remainder

TABLE B:

DEDUCTIONS FROM MONTHLY EARNINGS

Net Earnings	Deduction
Not exceeding £273	Nil
Exceeding £273 but not exceeding £310	£9.00
Exceeding £310 but not exceeding £330	£14.00
Exceeding £330 but not exceeding £350	£19.00
Exceeding £350 but not exceeding £380	£26.00
Exceeding £380 but not exceeding £420	£33.00
Exceeding £420 but not exceeding £460	£40.00
Exceeding £460 but not exceeding £500	£47.00
Exceeding £500 but not exceeding £540	£54.00
Exceeding £540 but not exceeding £580	£61.00
Exceeding £580 but not exceeding £620	£68.00
Exceeding £620 but not exceeding £660	£75.00
Exceeding £660 but not exceeding £700	£82.00
Exceeding £700 but not exceeding £740	£90.00
Exceeding £740 but not exceeding £800	£104.00
Exceeding £800 but not exceeding £860	£118.00
Exceeding £860 but not exceeding £930	£132.00
Exceeding £930 but not exceeding £1000	£147.00
Exceeding £1000 but not exceeding £1070	£162.00
Exceeding £1070 but not exceeding £1140	£177.00
Exceeding £1140 but not exceeding £1220	£196.00
Exceeding £1220 but not exceeding £1300	£217.00
Exceeding £1300 but not exceeding £1400	£239.00
Exceeding £1400 but not exceeding £1500	£261.00
Exceeding £1500 but not exceeding £1600	£324.00
Exceeding £1600 but not exceeding £1800	£396.00
Exceeding £1800 but not exceeding £2000	£472.00
Exceeding £2000 but not exceeding £2200	£562.00
Exceeding £2200 but not exceeding £2400	£652.00

*Status: This is the original version (as it was originally made). UK
Statutory Instruments are not carried in their revised form on this site.*

Net Earnings	Deduction
Exceeding £2400	£652.00 in respect of the first £2400 plus 50 per cent of the remainder

TABLE C:

DEDUCTIONS BASED ON DAILY EARNINGS

Net Earnings	Deduction
Not exceeding £9	Nil
Exceeding £9 but not exceeding £11	£0.25
Exceeding £11 but not exceeding £12	£0.50
Exceeding £12 but not exceeding £14	£0.80
Exceeding £14 but not exceeding £16	£1.10
Exceeding £16 but not exceeding £18	£1.80
Exceeding £18 but not exceeding £20	£2.15
Exceeding £20 but not exceeding £22	£2.50
Exceeding £22 but not exceeding £24	£2.85
Exceeding £24 but not exceeding £26	£3.20
Exceeding £26 but not exceeding £28	£3.60
Exceeding £28 but not exceeding £31	£4.20
Exceeding £31 but not exceeding £34	£4.90
Exceeding £34 but not exceeding £37	£5.80
Exceeding £37 but not exceeding £41	£6.70
Exceeding £41 but not exceeding £45	£7.70
Exceeding £45 but not exceeding £49	£9.00
Exceeding £49 but not exceeding £54	£10.80
Exceeding £54 but not exceeding £59	£12.60
Exceeding £59 but not exceeding £64	£15.30
Exceeding £64 but not exceeding £70	£18.00
Exceeding £70 but not exceeding £75	£20.70
Exceeding £75	£20.70 in respect of the first £75 plus 50 per cent of the remainder

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations—

- (a) vary the minimum daily rate of deductions made from a person's pay when that pay is subject to a current maintenance or conjoined arrestment; and
- (b) substitute new tables for those in Schedule 2 to the Debtors (Scotland) Act 1987 which set out the deductions made from a person's pay when that pay is subject to an earnings arrestment.

The new figures take into account the difference in purchasing power since the tables were drawn up and broadly restore the level of deductions in real terms to that applicable at the passing of the 1987 Act.