
Changes to legislation: Debtors (Scotland) Act 1987, Paragraph 4A is up to date with all changes known to be in force on or before 18 April 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) View outstanding changes

SCHEDULES

SCHEDULE 3

DISBURSEMENTS BY SHERIFF CLERKS UNDER CONJOINED ARRESTMENT ORDER

[^{F1}4A] Where—

- (a) only one of the debts is an ordinary debt, the creditor in that debt shall be paid the sum equal to—

$$D \times \frac{E}{S}$$

;

- (b) more than one of the debts is an ordinary debt, each of the creditors in those debts, out of the sum mentioned in sub-paragraph (a) above, shall be paid the same proportion of the amount of that creditor's debt;
- (c) only one of the debts is current maintenance, the creditor in that debt shall be paid the sum equal to—

$$D \times \frac{C}{S}$$

;

- (d) more than one of the debts is current maintenance, each of the creditors in those debts, out of the sum mentioned in sub-paragraph (c) above, shall be paid the same proportion of the amount of that creditor's debt,

where—

D is the sum deducted under subsection (5) of section 63 of this Act;

E is the sum deducted under paragraph (a) of that subsection;

C is the sum which would, if the only debts were the current maintenance debts, be deducted under subsection (3) of that section;

and

S is the total of E and C.]

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Textual Amendments

- F1** Sch. 3 para. 4A inserted (1.4.2008) by [Bankruptcy and Diligence etc. \(Scotland\) Act 2007 \(asp 3\)](#), [ss. 199\(3\)\(b\)](#), [227\(3\)](#) (with [s. 223](#)); [S.S.I. 2008/115](#), [art. 3\(1\)\(d\)](#) (with [arts. 4-6, 10, 13, 15](#)) (as amended: (23.2.2009) by [S.S.I. 2009/67](#), [art. 7](#); (31.1.2011) by [S.S.I. 2011/31](#), [art. 5\(a\)](#); and (4.10.2014) by [S.S.I. 2014/173](#), [arts. 1\(2\), 3](#))

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2018/1125 reg. 8](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2018/1125, reg. 8 omitted (31.12.2020) by virtue of Private International Law (Implementation of Agreements) Act 2020 (c. 24), s. 4(3), Sch. 5 para. 4(4))

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 8(1)(d)(e) substituted for s. 8(1)(d) by [2007 asp 3 Sch. 5 para. 16\(7\)\(a\)\(v\)](#)