



# Debtors (Scotland) Act 1880

1880 CHAPTER 34 43 and 44 Vict

## *Abolition of Imprisonment for Debt*

### 4 Abolition of imprisonment for debt, with certain exceptions.

With the exceptions herein-after mentioned, no person shall be apprehended or imprisoned on account of any civil debt.

There shall be excepted from the operation of the above enactment,—

[<sup>F1</sup>(1) Taxes, fines, or penalties due to Her Majesty, and rates and assessments lawfully imposed or to be imposed:]

[<sup>F1</sup>(1) Fines imposed for contempt of court or under section 91 of the Court of Session Act 1868.]

(2) Sums decerned for aliment:

[<sup>F2</sup>Provided that no person shall be imprisoned in any case excepted from the operation of this section for a longer period than twelve months.]

Nothing contained in this Act shall affect or prevent the apprehension or imprisonment of any person under [<sup>F2</sup>a warrant granted against him as being in meditatione fugæ, or under]any decree [<sup>F2</sup>or obligation]ad factum præstandum.

#### Textual Amendments

**F1** S. 4 para. 1 beginning “Fines imposed” substituted (S.) for para. 1 beginning “Taxes, fines” by [Debtors \(Scotland\) Act 1987 \(c. 18, SIF 45:2\)](#), s. 108, Sch. 6 para. 8, Sch. 7 paras. 5, **9(1)**

**F2** Proviso and words repealed (S.) by [Debtors \(Scotland\) Act 1987 \(c. 18, SIF 45:2\)](#), s. 108, Sch. 7 paras. 5, 9(1), **Sch. 8**

#### Modifications etc. (not altering text)

**C1** S. 4 restricted by [Crown Proceedings Act 1947 \(c. 44\)](#), ss. **26(2)**, 49

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**Changes to legislation:** There are currently no known outstanding effects for the Debtors (Scotland) Act 1880, Cross Heading: Abolition of Imprisonment for Debt. (See end of Document for details)

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**5—16.** ..... **F3**

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**Textual Amendments**

**F3** Ss. 3, 5–16 and Sch. repealed by Bankruptcy (Scotland) Act 1913 (c. 20), **Sch. 1**

**Changes to legislation:**

There are currently no known outstanding effects for the Debtors (Scotland) Act 1880, Cross  
Heading: Abolition of Imprisonment for Debt.