
EXPLANATORY NOTE

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

This Act of Sederunt lays down rules to govern applications for a liability order under section 33(2) of the Child Support Act 1991. It prescribes the form of application for a liability order, the form of notice to be served on the liable person along with that application, the form of liability order and of the extract liability order (Rule 2).

It makes provision for the registration for enforcement within Scotland of non-Scottish liability orders (Rule 3).

It provides for service of a charge following the making of a liability order and specifies the period for payment to be given in the charge (Rule 4).

It prescribes the form of appeal (by way of summary application) against a deduction from earnings order (Rule 5).

It makes provision as to representation in applications for a liability order and appeals against deductions from earnings orders, and sets out the consequences for expenses and outlays where representation is by an authorised lay representative in those two procedures (Rule 6).

It also makes minor consequential amendments to the forms in the Schedule to the Act of Sederunt (Proceedings in the Sheriff Court under the Debtors (Scotland) Act 1987) 1988 (Rule 7).