STATUTORY INSTRUMENTS

2001 No. 1236

The Child Support (Civil Imprisonment) (Scotland) Regulations 2001

Reduction of period of imprisonment

3.—(1) For the purposes of subsection (6) of section 40A of the 1991 Act (reduction of period of imprisonment for part payment) the following paragraphs shall apply.

(2) Where, after the sheriff has issued a warrant for committal to prison under section 40A of the 1991 Act, part payment of the amount stated in the warrant is made, the period of imprisonment specified in the warrant shall be reduced proportionately so that for the period of imprisonment specified in the warrant, there shall be substituted a period of imprisonment of such number of days as bears the same proportion to the number of days specified in the warrant as the amount remaining unpaid under the warrant bears to the amount specified in the warrant.

(3) Where the part payment is of such an amount as would, under paragraph (2) above, reduce the period of imprisonment to such number of days as have already been served (or would be so served in the course of the day of payment) the period of imprisonment shall be reduced to the period already served plus one day.