



Debt Arrangement and Attachment (Scotland) Act 2002

2002 asp 17

PART 1

THE DEBT ARRANGEMENT SCHEME

4 Effect of debt payment programmes

- (1) Where a debt payment programme has been approved or varied, the debts specified in the application for the approval or, as the case may be, the variation shall be paid in accordance with the programme.
- (2) It is not competent—
 - (a) to serve a charge for payment in respect of; or
 - (b) to commence or execute any diligence to enforce payment of,any debt owed by a debtor who has debts which are being paid under an approved debt payment programme.
- (3) A creditor is not entitled to found on any debt owed by such a debtor in presenting, or concurring in the presentation of, a petition for the sequestration of the debtor's estate.
- (4) There is to be disregarded, for the purposes of the exercise by a creditor of any rights to enforce a debt or remedies to like effect, any period during which the debtor's debts were subject to an approved debt payment programme.
- (5) The debts referred to in subsections (2) to (4) above are restricted to—
 - (a) those to which the debtor's debt payment programme relates; and
 - (b) any other debts owed to creditors who have been given notice, in the prescribed form, of the approval of the debt payment programme.