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SCOTTISH STATUTORY INSTRUMENTS

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**2011 No. 141**

**DEBT**

**The Debt Arrangement Scheme (Scotland) Regulations 2011**

*Made - - - - 17th February 2011*  
*Laid before the Scottish*  
*Parliament - - 22nd February 2011*  
*Coming into force 1st July 2011*

**THE DEBT ARRANGEMENT SCHEME  
(SCOTLAND) REGULATIONS 2011**

PART 1

1. Citation and commencement
2. Interpretation: general
3. Interpretation: debt
4. Dispensing power
5. Fees
6. Consequential amendments

PART 2

7. Debtor to have an approved money adviser
8. Approved categories of money advisers
9. Approval of a money adviser
10. Persons who are not and may not be approved
11. Revocation, or suspension, of approval of a money adviser
12. Functions and duty of a money adviser

PART 3

13. Payments distributors for a debt payment programme
14. Approval of a payments distributor
15. Revocation of approval of a payments distributor
16. Functions and duty of a payments distributor
17. Charges by a payments distributor

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

PART 4

- 18. Debt Arrangement Scheme Register
- 19. Information on the DAS Register

PART 5

- 20. Application for approval
- 21. Debtors who may apply for approval
- 22. Joint debt payment programme
- 23. Consent of creditors
- 24. Approval of agreed programmes
- 25. Approval by the DAS Administrator
- 26. Notice of intention to approve, and approval of, a programme
- 27. Standard conditions
- 28. Discretionary conditions
- 29. Notification of approval or rejection
- 30. Diligence or sequestration in the period before a debt payment programme is approved

PART 6

- 31. Methods of payment
- 32. Payment instruction to employer
- 33. Effect on a creditor
- 34. Diligence: further provision as regards effect of debt payment programme
- 35. Effect on trust deeds which are not protected

PART 7

- 36. Application for variation
- 37. Grounds for variation
- 38. Approval of a variation
- 39. Notification of approval or rejection of a variation

PART 8

- 40. Revocation on sequestration or protected trust deed
- 41. Application for revocation
- 42. Grounds for revocation
- 43. Determination of a revocation
- 44. Notification of revocation
- 45. Apparent insolvency

PART 9

- 46. Notice of completion

PART 10

- 47. Appeals

## PART 11

48. Revocation of Debt Arrangement Scheme regulations
49. Savings and transitional arrangements
50. (1) Subject to regulation 49 and paragraph (2), the provisions...
51. Debt payment programmes in respect of which a request for...  
Signature

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### SCHEDULE 1 FORMS

### SCHEDULE 2 CONSEQUENTIAL AMENDMENTS

1. Bankruptcy (Scotland) Act 1985
2. In section 15 (further provisions relating to award of sequestration) of...
3. Debt Arrangement and Attachment (Scotland) Act 2002
4. Protected Trust Deed (Scotland) Regulations 2008

### SCHEDULE 3 MONEY ADVISER TRAINING

1. The relationship between prescription or limitation, and enforcement of debt...
2. The consequences for a debtor— (i) sequestration;
3. The operation of— (i) an earnings arrestment;
4. The nature of rights of appeal from the sheriff court...
5. Assisting a client to— (a) respond to admitted money claims...
6. Identifying the need to refer a case to an appropriate...

### SCHEDULE 4 PAYMENTS DISTRIBUTORS

### SCHEDULE 5 REVOCATIONS

Explanatory Note