
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 141

The Debt Arrangement Scheme (Scotland) Regulations 2011

PART 8

REVOCATION OF DEBT PAYMENT PROGRAMMES

Grounds for revocation

42.—(1) A debt payment programme may be revoked by the DAS Administrator (whether or not on an application under regulation 41) where—

- (a) a debtor fails without reasonable cause to satisfy a condition under regulation 27 or 28;
- (b) a debtor makes a statement in an application under these Regulations which the debtor knows to be untrue; or
- (c) a payment to be paid under the programme becomes due, and there remains unpaid a sum, due in respect of previous payments so due, of not less than the aggregate of two such payments; or
- (d) in the case of a joint debt payment programme, conditions in regulation 22(1)(b) or (2) no longer apply.

(2) If the DAS Administrator proposes to revoke a debt payment programme it must give written notice of that proposal to—

- (a) the debtor;
- (b) each creditor who is taking part in the programme;
- (c) any creditor who has made an application for variation of the programme; and
- (d) any continuing money adviser or money adviser who has made an application for revocation on behalf of the debtor,

and is not to implement the proposal until the expiry of a period of at least 4 weeks after the date on which notice is given.

(3) A continuing money adviser given notice under paragraph (2) must notify all creditors taking part in the debt payment programme of the proposal to revoke the programme.