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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2013 No.**

**The Debt Arrangement Scheme  
(Scotland) Amendment Regulations 2013**

**Creditors**

**11.**—(1) In regulation 23 (consent of creditors)—

- (a) in paragraph (3), omit “, and if posted must be sent to the creditor by first class recorded delivery post”;
- (b) at the end of paragraph (5), insert—  
“, irrespective of any assignation of the debt by that creditor,”; and
- (c) after paragraph (7), insert—

“(8) Where the rights to one or more debts included in the debt payment programme are assigned, the creditor must immediately notify the DAS Administrator in writing—

- (a) that the creditor has assigned the rights; and
- (b) of the details of the assignee.”.

(2) After regulation 23 (consent of creditors), insert—

**“Creditor’s authorised representative**

**23A.** Where a creditor authorises another person to act on behalf of the creditor in relation to the debt arrangement scheme—

- (a) the authorised representative must, provide evidence of authority to act on behalf of the creditor to the DAS Administrator and any continuing money adviser; and
- (b) the creditor must notify the DAS Administrator and any continuing money adviser where the representative is no longer authorised.”.