
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2014 No.

The Bankruptcy (Money Advice and Deduction from Income etc.) (Scotland) Regulations 2014

Money advisers

Approved categories of money advisers

3. Subject to regulation 4, the following classes of persons are prescribed for the purposes of section 5C(2)(b) of the Act as money advisers—

- (a) persons who—
 - (i) are qualified to act as insolvency practitioners in accordance with section 390 of the Insolvency Act 1986⁽¹⁾; or
 - (ii) work for such an insolvency practitioner, who have been given authority by that insolvency practitioner to act on his or her behalf in providing money advice under the Act; and
- (b) persons who—
 - (i) work as money advisers for organisations which have been awarded accreditation at Type 2 level or above against the Scottish National Standards for Information and Advice Provision; or
 - (ii) are approved for the purposes of the Debt Arrangement Scheme⁽²⁾; or
 - (iii) work as money advisers for a citizens advice bureau which is a full member of the Scottish Association of Citizens Advice Bureaux – Citizens Advice Scotland; or
 - (iv) work as money advisers for councils constituted under section 2 of the Local Government etc. (Scotland) Act 1994⁽³⁾.

⁽¹⁾ 1986 c.45. Section 390 was amended by the Adults with Incapacity (Scotland) Act 2000 (asp 4), section 88(2), Schedule 5, paragraph 18; the Insolvency Act 2000 (c.39), section 8, Schedule 4, paragraph 16(2); the Mental Health (Care and Treatment) (Scotland) Act 2003 (Modification of Enactments) Order 2005, S.S.I. 2005/465, article 2, Schedule 1, paragraph 18(3); the Mental Capacity Act 2005 (c.9), section 67(1), (2), Schedule 6, paragraph 31(3), Schedule 7; and the Tribunals, Courts and Enforcement Act 2007 (c.15), section 108(3), Schedule 20, paragraph 6.

⁽²⁾ Under Part 1 of the Debt Arrangement and Attachment (Scotland) Act 2002 (asp 17).

⁽³⁾ 1994 c.39.