



Debt Arrangement and Attachment (Scotland) Act 2002

2002 asp 17

PART 1

THE DEBT ARRANGEMENT SCHEME

2 Debt payment programmes

- (1) A debt payment programme is a programme which provides for the payment of money owed by a debtor.
- (2) The Scottish Ministers may, on an application by a debtor, approve any debt payment programme set out in the application.
- (3) Such an application shall be signed by the debtor and shall—
 - (a) specify, to the best of the debtor's knowledge and belief, in relation to each debt which the debtor is proposing to be paid under the debt payment programme—
 - (i) the amount outstanding;
 - (ii) the creditor to whom the debt is due; and
 - (iii) the period for which the debt has been due;
 - (b) set out the arrangements under which those debts are, in accordance with the provisions of the programme, to be paid, in particular specifying—
 - (i) the amounts which the debtor proposes to pay under the programme;
 - (ii) the proposed regularity of those payments;
 - (iii) the manner in which those payments are to be made; and
 - (iv) the manner in which, and period over which, each of the debts included in the programme is to be paid;
 - (c) specify the name and address of the person (the "payments distributor") who is to—
 - (i) receive payments from the debtor; and
 - (ii) pay, on behalf of the debtor, the debts included in the programme, in accordance with the provisions of the programme; and

Status: Point in time view as at 30/11/2004. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Debt Arrangement and Attachment (Scotland) Act 2002, Section 2. (See end of Document for details)

- (d) contain such other information (including information relating to the debtor's financial circumstances), and be in such form, as may be prescribed.
- (4) Such an application shall, subject to any contrary provision in regulations made under section 7(1) below, incorporate the consent, indicated in the prescribed form, of all the debtor's creditors.
- (5) A person's name and address shall not be specified in an application for approval of a debt payment programme as a payments distributor unless that person has been approved by the Scottish Ministers as a person suitable to carry out the functions of a payments distributor.

Modifications etc. (not altering text)

- C1** Pt. 1 modified (30.11.2004) by [Debt Arrangement and Attachment \(Scotland\) Act 2002 \(Transfer of Functions to the Accountant in Bankruptcy\) Order 2004 \(S.S.I. 2004/448\)](#), arts. 1, 3

Commencement Information

- I1** S. 2(1)(2)(5) in force at 30.11.2004 by [S.S.I. 2004/416](#), **art. 2(2)**
- I2** S. 2(3)(4) in force at 24.9.2004 for specified purposes by [S.S.I. 2004/416](#), **art. 2(1)(a)**
- I3** S. 2(3)(4) in force at 30.11.2004 in so far as not already in force by [S.S.I. 2004/416](#), **art. 2(2)**

Status:

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