DRAFT SCOTTISH STATUTORY INSTRUMENTS

2004 No.

The Debt Arrangement Scheme (Scotland) Regulations 2004

PART 4

DEBT ARRANGEMENT SCHEME REGISTER

Debt Arrangement Scheme Register

17.—(1) There shall be a register of debt payment programmes, to be known as the Debt Arrangement Scheme Register ("the DAS Register").

(2) The DAS administrator shall maintain the DAS Register, which may be wholly or partially in electronic form.

Information on the DAS Register

18.—(1) Information in respect of the matters relating to debt payment programmes specified in paragraph (2) shall be held on the DAS Register.

(2) The specified information is–

    (a) an application for a programme that has yet to be approved;

    (b) an application by the DAS administrator to the sheriff for approval of a programme;

    (c) a notice that a programme is to be approved;

    (d) an approved programme;

    (e) an application for variation of a approved programme;

    (f) an application by the DAS administrator to the sheriff for variation of an approved programme;

    (g) a variation of an approved programme; and

    (h) an appeal to the sheriff or sheriff principal.

(3) The DAS Register shall include for each debtor who has applied for approval of a debt payment programme, or who is taking part in a programme, a record of–

    (a) the full name, including any former name;

    (b) the age;

    (c) the home address or addresses, and any business address; and

    (d) the business address of the money adviser (or the money advice body for that adviser),

of the debtor.

Access to, and use of, information on the DAS Register

19.—(1) A money adviser may on behalf of a debtor inspect an entry in the DAS Register relating to the debtor.

(2) An entry in the DAS Register may be inspected by or on behalf of–

    (a) a creditor, or prospective creditor, of a debtor;

    (b) a payments distributor; and

    (c) any other person, on reasonable cause being shown to the DAS administrator.