
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 468

The Debt Arrangement Scheme (Scotland) Regulations 2004

PART 7

VARIATION OF DEBT PAYMENT PROGRAMMES

Grounds for variation

- 38.**—(1) An application for variation of a debt payment programme may be made—
- (a) on agreement between a debtor and each creditor participating in the programme;
 - (b) on agreement between a debtor and a creditor that a liability of the debtor to—
 - (i) repay a sum due, shall be discharged; or
 - (ii) pay interest on a sum, shall be waived;
 - (c) on a material change in the circumstances of a debtor;
 - (d) where a debt due at the date of approval of that programme was omitted from the programme due to a mistake, oversight, or other reasonable cause;
 - (e) where a future or contingent debt, known but not quantifiable at the date of approval of the programme, is quantified and due for payment; and
 - (f) where a debtor requires credit to meet an essential requirement.
- (2) An application for variation shall not be made in respect of any other debt of a debtor.