
DRAFT STATUTORY INSTRUMENTS

2020 No.

**The Debt Respite Scheme (Breathing Space
Moratorium and Mental Health Crisis Moratorium)
(England and Wales) Regulations 2020**

PART 2

Breathing space moratorium

Initiation of breathing space moratorium

25.—(1) In order to initiate a breathing space moratorium a debt advice provider must provide to the Secretary of State—

(a) confirmation that—

- (i) the debtor meets the eligibility criteria in regulation 24(3), and
- (ii) the conditions in regulation 24(4) are met,

(b) the information provided by the debtor under regulation 23(4) and (5) to the extent that it relates to the debtor or qualifying debt, and

(c) information identified by the debt advice provider about any other qualifying debt.

(2) Where the Secretary of State receives the confirmation and information referred to in paragraph (1), the Secretary of State must, by the end of the following business day—

(a) cause an entry to be made on the register, and

(b) send a notification of the start of the breathing space moratorium to those creditors and agents whose contact details have been provided to the Secretary of State in accordance with paragraph (1)(b) and (c).

(3) Paragraph (2) is subject to regulation 38.