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DRAFT STATUTORY INSTRUMENTS

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**2020 No.**

**DEBT MANAGEMENT AND  
RELIEF, ENGLAND AND WALES**

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

Made - - - - - \*\*\*  
Coming into force in accordance with  
regulation 1(2) to (7)

**THE DEBT RESPITE SCHEME (BREATHING SPACE  
MORATORIUM AND MENTAL HEALTH CRISIS  
MORATORIUM) (ENGLAND AND WALES) REGULATIONS 2020**

PART 1

General provisions

1. Citation, commencement, extent and application
2. Interpretation
3. Meaning of debt advice provider
4. Debt advice provider fees and referrals
5. Qualifying debt
6. Moratorium debt
7. Effect of a moratorium
8. Extension of limitation periods because of a moratorium
9. Extension of other deadlines because of a moratorium
10. Existing legal proceedings at the start of a moratorium
11. Contact between creditor or agent and debtor during a moratorium
12. Agent appointed by creditor
13. Meaning of creditor by assignment
14. Creditor search for additional debt
15. Application of moratorium to additional debt
16. Applicant and debtor obligations
17. Creditor's request for review of a moratorium
18. Review and cancellation of a moratorium as a result of a creditor request
19. Court application by creditor for cancellation of a moratorium

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Debt Respite Scheme (Breathing Space Moratorium and Mental Health Crisis Moratorium) (England and Wales) Regulations 2020 No. 1311*

20. Provision of updated information to the Secretary of State to correct mistakes and inaccuracies
21. Death of debtor during a moratorium period
22. Disclosure of information

## PART 2

### Breathing space moratorium

23. Application for a breathing space moratorium
24. Debtor eligibility for a breathing space moratorium and debt advice provider obligations
25. Initiation of breathing space moratorium
26. Duration of breathing space moratorium
27. Midway review and cancellation of breathing space moratorium

## PART 3

### Mental health crisis moratorium

28. Meaning of mental health crisis moratorium
29. Application for a mental health crisis moratorium
30. Debtor eligibility for a mental health crisis moratorium and debt advice provider obligations
31. Initiation of mental health crisis moratorium
32. Duration of mental health crisis moratorium
33. Request by a debt advice provider for information about a debtor's receipt of mental health crisis treatment
34. Cancellation of mental health crisis moratorium

## PART 4

### Debt respite scheme administration

35. Electronic system maintained by the Secretary of State
36. Information about a debtor held on the register
37. Notifications provided to and by the Secretary of State
38. Non-disclosure of a debtor's usual residential address
39. Electronic system malfunction

## PART 5

### Supplemental

40. Review  
Signature  
Explanatory Note