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DRAFT STATUTORY INSTRUMENTS

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**2020 No.**

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

**PART 1**

General provisions

**Contact between creditor or agent and debtor during a moratorium**

**11.**—(1) During a moratorium period neither a creditor nor the creditor’s agent must contact a debtor in relation to the enforcement of a moratorium debt, including to demand payment or as a precursor to starting any legal proceedings against the debtor in connection with the moratorium debt, save as provided for in paragraph (2).

(2) This regulation does not prevent a creditor or an agent during a moratorium period from contacting or engaging with—

- (a) a debtor’s debt advice provider regarding a moratorium debt or a debt solution in respect of the debtor,
- (b) a debtor—
  - (i) for purposes unrelated to a moratorium debt including in relation to ongoing liabilities or non-eligible debt,
  - (ii) at the debtor’s request regarding a moratorium debt or a debt solution,
  - (iii) in response to a query or complaint raised by the debtor,
  - (iv) in relation to any action or legal proceedings in a court or tribunal permitted under regulation 10, or
  - (v) if the creditor or agent is otherwise required to do so under—
    - (aa) the Consumer Credit Act 1974(1), or
    - (bb) any rules made under Part 9A of FSMA(2).

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(1) 1974 c. 39.

(2) 2000 c. 8. Section 137A was substituted by section 24 of the Financial Services Act 2012 (c. 21), section 24(1) and amended by S.I. 2018/1115, regulation 7(6).