



Debt Arrangement and Attachment (Scotland) Act 2002

2002 asp 17

PART 1

THE DEBT ARRANGEMENT SCHEME

3 Money advice

- (1) A debtor is not entitled to make an application for the approval, or the variation, of a debt payment programme unless the debtor has obtained the advice of a money adviser in relation to—
- the debtor's financial circumstances;
 - the effect of the proposed programme or, as the case may be, the proposed variation of the programme; and
 - the preparation of the application.
- (2) Such an application shall—
- contain a ^{F1}... declaration by the money adviser who provided the advice referred to in subsection (1) above that such advice has been given; and
 - specify the name and address of the money adviser.

[^{F2}(3) Subsections (1) and (2) above are subject to any contrary provision in regulations made under section 7(1) below.]

Textual Amendments

- F1** Word in s. 3(2)(a) omitted (1.7.2011) by virtue of [The Debt Arrangement Scheme \(Scotland\) Regulations 2011 \(S.S.I. 2011/141\)](#), [reg. 20\(5\)](#) (with regs. 49-51)
- F2** S. 3(3) inserted (8.3.2007) by [Bankruptcy and Diligence etc. \(Scotland\) Act 2007 \(asp 3\)](#), [ss. 212\(3\), 227\(3\)](#) (with s. 223); [S.S.I. 2007/82](#), art. 3(b)

Modifications etc. (not altering text)

- C1** Pt. 1 modified (30.11.2004) by [Debt Arrangement and Attachment \(Scotland\) Act 2002 \(Transfer of Functions to the Accountant in Bankruptcy\) Order 2004 \(S.S.I. 2004/448\)](#), arts. 1, 3

Status: Point in time view as at 01/07/2011.

Changes to legislation: There are currently no known outstanding effects for the Debt Arrangement and Attachment (Scotland) Act 2002, Section 3. (See end of Document for details)

Commencement Information

II S. 3 in force at 30.11.2004 by [S.S.I. 2004/416](#), [art. 2\(2\)](#)

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