



Tribunals, Courts and Enforcement Act 2007

2007 CHAPTER 15

PART 5 **E+W**

DEBT MANAGEMENT AND RELIEF

CHAPTER 4 **E+W**

DEBT MANAGEMENT SCHEMES

PROSPECTIVE

Appeals

122 **Right of appeal** **E+W**

- (1) This section applies if a debt repayment plan is arranged for a debtor in accordance with an approved scheme.
- (2) An affected creditor may appeal to [^{F1}the county court] against any of the following—
 - (a) the fact that the plan has been arranged;
 - (b) the fact that a debt owed to the affected creditor has been specified in the plan;
 - (c) the terms of the plan (including any provision included in the plan in accordance with section 110(3)).
- (3) Subsection (2)(c) does not allow an affected creditor to appeal against the fact that a debt owed to any other creditor has been specified in the plan.
- (4) In this section “affected creditor” means the creditor under any debt which is specified in the plan.

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: Tribunals, Courts and Enforcement Act 2007, Cross Heading: Appeals is up to date with all changes known to be in force on or before 13 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F1 Words in s. 122(2) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 9 para. 52](#); S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

123 Dealing with appeals E+W

- (1) This section applies if an appeal is made to [^{F2}the county court] under section 122.
- (2) The county court may determine the appeal in any way that it thinks fit.
- (3) The county court may make such orders as may be necessary to give effect to the determination of the appeal.
- (4) The county court may, in particular, order the scheme operator to do any of the following—
 - (a) to reconsider the decision to arrange the plan;
 - (b) to reconsider any decision about the terms of the plan;
 - (c) to modify the debt repayment plan;
 - (d) to revoke the debt repayment plan.
- (5) The county court may make such interim provision as it thinks fit in relation to the period before the appeal is determined.

^{F3}(6)

Textual Amendments

F2 Words in s. 123(1) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 9 para. 52](#); S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

F3 S. 123(6) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 9 para. 136\(b\)](#); S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

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Changes to legislation:

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[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(8)(bza) inserted by [2022 c. 36 s. 23\(2\)](#)
- s. 13(8)(bzb) inserted by [2022 c. 36 s. 24\(9\)](#)
- s. 16(3)(a) word inserted by [2015 c. 2 s. 85\(3\)\(a\)](#)
- s. 16(3)(b) and word inserted by [2015 c. 2 s. 85\(3\)\(b\)](#)
- s. 16(3A)(3B) inserted by [2015 c. 2 s. 85\(4\)](#)
- s. 22(6) inserted by [2022 c. 35 Sch. 4 para. 4\(2\)](#)
- s. 23(8) inserted by [2022 c. 35 Sch. 4 para. 4\(3\)](#)
- s. 25A inserted by [2022 c. 36 s. 80\(1\)](#)
- s. 29(3A) inserted by [2022 c. 36 s. 81\(6\)](#)
- Sch. 5 para. 11A and cross-heading inserted by [2022 c. 36 s. 80\(2\)](#)
- Sch. 7 para. 6(1)(e) words substituted by [2013 c. 22 Sch. 14 para. 13\(2\)](#) (Sch. 7 was already repealed when this amendment came into force)
- Sch. 7 para. 6(4)(b) words substituted by [2013 c. 22 Sch. 14 para. 13\(2\)](#) (Sch. 7 was already repealed when this amendment came into force)