
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2019 No.

**The Debt Arrangement Scheme
(Scotland) Amendment Regulations 2019**

Approval of debt payment programme: creditor consent

5.—(1) In regulation 23 (consent of creditors)—

(a) for paragraph (1) substitute—

“(1) Subject to paragraph (5), and regulation 25—

(a) not less than $\frac{9}{10}$ in value of the creditors of a debtor who is an individual must consent to an application by the debtor for approval of a debt payment programme,

(b) each creditor of a debtor who is a legal person, trust or unincorporated body of persons must consent to an application by the debtor for approval of a debt payment programme.”; and

(b) in paragraph (2) for “each creditor of both debtors is required” substitute “the creditors of both debtors is relevant”.

(2) For regulation 24(1) (approval of agreed programmes) substitute—

“(1) Subject to paragraph (1A), the DAS Administrator must approve a debt payment programme for an individual where not less than $\frac{9}{10}$ in value of the creditors have consented under regulation 23 to an application for approval.

(1ZA) The DAS Administrator must approve a debt payment programme for a legal person, trust or unincorporated body of persons where each creditor has consented under regulation 23 to an application for approval.”.

(3) In paragraph (2) after “paragraph (1)” insert “or (1ZA)”.