
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 141

The Debt Arrangement Scheme (Scotland) Regulations 2011

PART 5

APPROVAL OF DEBT PAYMENT PROGRAMMES

Discretionary conditions

28.—(1) A debt payment programme on approval under regulation 24 or 25, or approval of a variation under regulation 38, may be made subject to one or more of the conditions specified in paragraph (2).

(2) A specified condition is that the debtor must—

- (a) realise, and distribute amongst the creditors the value of, an asset of the debtor other than an asset excepted by paragraph (3);
- (b) sign and deliver a payment instruction to an employer; or
- (c) be bound by any other reasonable condition intended to secure completion of the programme.

(3) An excepted asset is—

- (a) a dwellinghouse or mobile home occupied by a debtor as the debtor's sole or main residence;
- (b) an asset that is exempt from attachment under section 11 (articles exempt from attachment) of, or that is not a non-essential asset under schedule 2 (non essential assets) to, the Act.