

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2014 No. 294**

**The Debt Arrangement Scheme  
(Scotland) Amendment Regulations 2014**

**Common Financial Tool: consequential amendments, all debts due**

- 8.—(1) In regulation 12(1) (functions and duty of a money adviser)—
- (a) after “money adviser” insert “, using the Common Financial Tool in the case of a debt payment programme for an individual.”; and
  - (b) at the end of sub-paragraph (d) insert “, in accordance with the Common Financial Tool in the case of a debt payment programme for an individual”.
- (2) At the end of regulation 12(3)(a) insert “(in accordance with the Common Financial Tool in the case of a debt payment programme for an individual)”.
- (3) After regulation 20(2) (application for approval)—
- (a) insert—
    - “(2A) The debt payment programme applied for under paragraph (1) must provide for the payment of all debts due by the debtor at the time of making the application which a debt payment programme can provide for payment of, subject to regulation 22A(8)(b).”;
  - (b) after paragraph (2A) so inserted, insert—
    - “(2B) Where the debtor is an individual the application must also contain—
      - (a) the statement of income and expenditure in form 1 as at that date completed in the style and format of the Common Financial Statement; and
      - (b) a statement—
        - (i) that the proposed payments are in accordance with the Common Financial Tool as assessed by the money adviser; and
        - (ii) any evidence or explanation required in applying that tool.”; and
  - (c) after paragraph (2B) so inserted, insert—
    - “(2C) Where the debtor is a charity the application must also contain evidence that it has been intimated to OSCR.”.
- (4) In regulation 24 (approval of agreed programmes)—
- (a) in paragraph (1), for “The” substitute “Subject to paragraph (1A), the”; and
  - (b) after regulation 24(1) insert—
    - “(1A) In the case of a debt payment programme for an individual, the debt payment programme may only be approved in accordance with the Common Financial Tool.”.
- (5) Before regulation 25(2)(a) (approval by the DAS Administrator) insert—
- “(za) where the debtor is an individual, the Common Financial Tool;
  - (zb) where the debtor is an individual, any statement and evidence required under regulation 20(2B) to satisfy the DAS Administrator in applying the Common Financial Tool.”.

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

(6) Before Schedule 1, insert Schedule A1 set out in Schedule 1 to these Regulations.