



Tribunals, Courts and Enforcement Act 2007

2007 CHAPTER 15

PART 5

DEBT MANAGEMENT AND RELIEF

CHAPTER 4

DEBT MANAGEMENT SCHEMES

Appeals

122 Right of appeal

- (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 a 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Status: This is the original version (as it was originally enacted).

123 Dealing with appeals

- (1) This section applies if an appeal is made to a 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.
- (6) The county court is the county court to which the appeal is made.