

Debt Recovery for Credit Unions

Learning Outcomes

- ✓ To understand the reasons why people get into debt and understand the causes of debt;
- ✓ To be able to identify vulnerable debtors and know what best practice is in working with them;
- ✓ To know what pre-legal steps can be used to recover debts, including sending arrear notices, final demands;
- ✓ To understand how the Eligible Loan Deduction Scheme, operated by the DWP and the Treasury, can be used and how to apply for deductions;
- ✓ To know what a statutory demand is and how it can be used;
- ✓ To understand what summary diligence is and how Scottish Credit Unions can use it;
- ✓ To know what an action for payment of money is in the Sheriff Court;
- ✓ To know what an Inhibition is and how it can be used;
- ✓ To know what a Charge for Payment is and how they can be executed;
- ✓ To understand what an earning arrestment and conjoined arrestment are and how they can be executed;
- ✓ To understand what an attachment and exceptional attachment order are and what the procedure is before they can be used;
- ✓ To understand the criteria that must be met before petitioning for the sequestration of a debtor;
- ✓ To understand what the practical considerations are before petitioning for a debtor's sequestration and what costs are involved;
- ✓ To understand how a debtor can use a moratorium under the Bankruptcy (Scotland) Act 2016 and what the effect of it is;
- ✓ To understand when a debtor can use the Debtor (Scotland) Act 1987 to apply for a time to pay direction or order;
- ✓ To understand when a debtor can apply for a debt payment programme under the Debt Arrangement Scheme and what effect it has;
- ✓ To understand what the process is for a debtor applying for a Protected Trust Deed and what role a creditor has in the process;
- ✓ To understand how trustee fees are charged in Protected Trust Deeds, when creditors get paid and what the effect of the Protected Trust Deed is for the creditor;
- ✓ To understand what the process is for a debtor applying for their own sequestration and what role the creditor has in the process;
- ✓ To understand how trustee fees are charged in sequestrations and what role the creditor has in the process.

