

**APPLICATION IN WRITING FOR A TIME TO PAY DIRECTION
UNDER THE DEBTORS (SCOTLAND) ACT 1987 OR A TIME ORDER
UNDER THE CONSUMER CREDIT ACT 1974**

I WISH TO APPLY FOR A* TIME TO PAY DIRECTION/TIME ORDER

* delete whichever does not apply

I admit the claim and make application to pay as follows:

(1) by instalments of £ _____ per *week / fortnight / month

OR

(2) In one payment within _____ *weeks / months from the date of the court order

To help the court please provide details of your financial position in the boxes below
***Please also indicate whether payments/receipts are weekly, fortnightly or monthly**

My outgoings are:	*Weekly / fortnightly / monthly
Rent/Mortgage	£
Council Tax	£
Gas/Electricity etc	£
Food	£
Loans and Credit Agreements	£
Other	£

My income is	*Weekly / fortnightly / monthly
Wages/Pensions	£
Social Security	£
Other	£

Number of Dependent Children

Number of Dependent Relatives

Please list details of all capital held. e.g. value of house; amount in savings account, shares or other investments:

*APPLICATION FOR RECALL OR RESTRICTION OF AN ARRESTMENT

I seek the recall or restriction of the arrestment of which the details are as follows:-

Signed:

Date:

**Delete if inapplicable*

Notes: TIME TO PAY DIRECTIONS AND TIME ORDERS

(1) Time to pay directions

The Debtors (Scotland) Act 1987 gives you the right to apply to the court for a 'time to pay direction'. This is an order which allows you to pay any sum which the court orders you to pay either in instalments or by deferred lump sum. A 'deferred lump sum' means that you will be ordered by the court to pay the whole amount at one time within a period which the court will specify.

If the court makes a time to pay direction it may also recall or restrict any arrestment made on your property by the pursuer in connection with the action or debt (for example, your bank account may have been frozen).

No court fee is payable when making an application for a time to pay direction.

If a time to pay direction is made, a copy of the court order (called an extract decree) will be sent to you by the pursuer telling you when payment should start or when it is you have to pay the lump sum.

If a time to pay direction is not made, and an order for immediate payment is made against you, an order to pay (called a charge) may be served on you if you do not pay.

(2) Time Orders

The Consumer Credit Act 1974 allows you to apply to the court for a 'time order' during a court action. A time order is similar to a time to pay direction, but can only be applied for in certain circumstances, e.g., in relation to certain types of credit agreement. Payment under a time order can only be made by instalments, so that you cannot apply to pay by deferred lump sum.