


CONSULTATION QUESTIONNAIRE (Page One)
Credit Union Debts in Protected Trust Deeds

The deadline for responses is **25 June 2007**

Your details

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For the purpose of analysing responses, it would be helpful if you would also indicate the capacity in which you are completing this questionnaire, please tick as appropriate.

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|-------------------------|--------------------------|------------------------------|-------------------------------------|
| Advice Sector | <input type="checkbox"/> | Legal Body | <input type="checkbox"/> |
| Business | <input type="checkbox"/> | Professional Body | <input type="checkbox"/> |
| Individual | <input type="checkbox"/> | Statutory Body | <input checked="" type="checkbox"/> |
| Insolvency Practitioner | <input type="checkbox"/> | Other (Please Specify) _____ | <input type="checkbox"/> |

Questions for Consultation

1a Do you think that cancelling debt in a Protected Trust Deed has a particularly harsh impact on Credit Unions?

Yes No

1b If yes, what evidence do you have to support your comments?

1c Do you think that Protected Trust Deeds should give special protection to Credit Unions?

Yes No

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Credit Union Debts in Protected Trust Deeds

2a Do you think that cancelling debt in a Protected Trust Deed has a particularly harsh impact on any other creditor?

Yes No

2b If yes, what other creditors are affected?

Non-payment of a debt can have a major finance impact for tradespeople or other small businesses

2c Do you think that Protected Trust Deeds should give special protection to any other type of creditor and which ones?

No

3a Do you think that introducing special protection for credit unions (or another type of creditor) would unduly harm the interests of the rest of the creditors?

Yes No

3b If yes, what evidence do you have to support your comments?

It would create a preference and be unfair to ordinary creditors, tradespeople and other small businesses

4a Which of the following options do you think would be the most appropriate?

Option 1 (Do Nothing) –The intended reform of Protected Trust Deeds will be sufficient to protect the interests of all creditors, including Credit Unions.

Option 2 (Debts not Cancelled) - Debts due to Credit Unions should not be cancelled by Protected Trust Deeds.

4b Why do you think this option is most appropriate?

For the reasons stated in my answer for 3b

4c Do you have any other comments on these options that we should consider?

No

South Ayrshire Council Trading Standards Consultation Response

Subject: Credit Union Debts in Protected Trust Deeds

Respondent: Trading Standards, South Ayrshire Council

Date of Response: 25 June 2007

This response is submitted on behalf of Trading Standards as part of Legal and Protective Services within the Development Safety & Regulation Department of South Ayrshire Council.

About South Ayrshire Council

South Ayrshire Council is a unitary local authority that was formed in April 1996 following the re-organisation of Scottish local government.

Situated in the South West of Scotland, South Ayrshire covers an area of 422 square miles (120,223 hectares) and has an approximate population of 114,000. The area is made up of a mixture of large towns (including Ayr, Prestwick, Troon, Maybole and Girvan) with many rural villages spread across a wide area. Containing a rich mix of agricultural land, woodlands and forests, South Ayrshire also has a long and spectacular coastline. Farming, tourism, and sport (particularly golf), form an integral part of the area's economy.

South Ayrshire Council was re-organised in 2006 and now consists of four Departments:

- Chief Executive
- Education, Culture & Lifelong Learning,
- Social Work, Housing & Health,
- Development, Safety & Regulation.

The Development Safety & Regulation Department consists of enforcement, legal and regulatory services, such as Planning, Building Standards, Licensing, Legal, Community Safety, Trading Standards and Environmental Health.

Trading Standards in South Ayrshire

Trading Standards is broadly responsible for ensuring that the markets for goods and services operate fairly for consumers and business alike. The bulk of our work comes from legislation that both empowers and imposes duties on our officers. We facilitate and police the commercial market by a combination of consumer complaints, routine visits, sampling and special projects. Advice is given where possible and enforcement action is taken where necessary.

Specifically, Trading Standards deals with areas as diverse as metrology, product safety, credit, animal health & welfare and fair trading - including prices, trade and property descriptions, counterfeit goods, trademark infringement and advertisement accuracy. High quality consumer and business advice as well as consumer debt counselling is also provided by Trading Standards.

Trading Standards in South Ayrshire has traditionally striven to be innovative in matters of service delivery and at the forefront of developments that affect the profession. In this regard we are grateful to be able to respond on the relevant matters within this consultation document and look forward to positive change as a result.