Debt Respite Scheme (breathing space)

Appeal against a debt advice provider's determination to disclose your address on the breathing space register

(Regulation 38 The Debt Respite Scheme (Breathing Space Moratorium and Mental Health Crisis Moratorium) (England and Wales) Regulations 2020)

You must make this application **within 28 days** of the debt advice provider decision.

A breathing space cannot start until this application has been decided by the court.

Name of court

Claim number (Court use only)

Name of applicant (debtor) (including any reference)

Name of debt advice provider (including any reference)

Date

Day	Month	Year

1. When were you notified of the debt advice provider decision?

Day	Month	Year

Q1. Any application received by the court **more than 28 days** from this date will be rejected.

2. Are you are a legal representative?

☐ Yes, the name of my firm is

and the name of the person I represent is

☐ No

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3. Please provide the name and address of the debt advice provider

First name(s)

Last name

Address

Building and street

Second line of address

Town or city

County (optional)

Postcode

4. Please give reasons why your usual residential address should not be disclosed on the register

Court fee

What you need to pay

You will find the court fee payable in the leaflet EX50 Civil and Family Court Fees. It is available online at: www.gov.uk/government/publications/fees-in-the-civil-and-family-courts-main-fees-ex50

I am enclosing the court fee of:

How to pay the court fee

☐ **I have not included payment because**

☐ I have applied for Help with Fees online and my reference number is

H	W	F						

☐ I am applying for Help with Fees, see attached form **EX160**

☐ Other – please explain why

☐ **A debit or credit card payment**

☐ I will pay over the phone, please call me on this number

☐ please email me details on how to pay, my email address is

☐ **Prepayment –** If you have already made a payment please write the reference number here

☐ I attached a **cheque or postal order,** made payable to 'HMCTS'

☐ **In person at** the court/office counter

☐ **Fee account details – for use by legal professionals**

Your account number

P	B	A							

Your reference (if applicable)

If you cannot afford the court fee

You may not have to pay a fee, or you may get some money off it if you only have a small amount of savings and investments, receive certain benefits or are on a low income.

You can apply for help with court and tribunal fees online at www.gov.uk/help-with-court-fees or through the 'EX160 Apply for help with fees' form and 'EX160A – How to apply for help with fees' guidance.

Fee account – a way for solicitors, local authorities and other regular users to make payments relating to civil and family cases.

Statement of Truth

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

☐ **I believe** that the facts stated in this application (and any continuation sheets) are true.

☐ **The applicant believes** that the facts stated in application (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

Signature

☐ Applicant

☐ Litigation friend (where applicant is a child or a Protected Party)

☐ Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day	Month	Year

Full name

Name of applicant's legal representative's firm

If signing on behalf of firm or company give position or office held

Applicant's or applicant's legal representative's address to which documents should be sent.

Building and street

Second line of address

Town or city

County (optional)

Postcode

If applicable

Phone number

Fax phone number

DX number

Your reference

Email

What you do next

Have you:

- ☐ signed the statement of truth
- ☐ enclosed the correct court fee **or** an application for Help with Fees (using form EX160)

Which court to send your form to

Send your completed application to your local court.

You can find this here: www.gov.uk/find-court-tribunal