



BERMUDA

DEBT COLLECTION (BARRISTERS AND ATTORNEYS)
AMENDMENT ORDER 2020

BR 95 / 2020

The Minister responsible for consumer affairs, in exercise of the power conferred by section 3(4) of the Debt Collection Act 2018, makes the following Order:

Citation

1 This Order may be cited as the Debt Collection (Barristers and Attorneys) Amendment Order 2020.

Amends section 3

2 The Debt Collection Act 2018 is amended in section 3 by repealing subsections (2) and (3) and substituting the following—

“(2) Except as is provided in this section, the provisions of this Act apply to any person conducting debt collection—

- (a) who is a creditor;
- (b) who is a barrister and attorney holding a current practising certificate issued under section 10 of the Bermuda Bar Act 1974 who derives 50% or more of his gross earnings by means of the collection of debt on behalf of creditors.

(3) The following provisions of this Act do not apply to a person referred to in subsection (2)(a)—

- (a) Part 3, providing for licensing of debt collectors;
- (b) Part 4 with respect to section 19, providing for debt collection fees and charges;

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- (c) Part 5 with respect to sections 24, 25 and 26, providing for inspections and investigations of debt collectors; and
- (d) Part 6 with respect to section 27, providing power to revoke a debt collector's licence.

(3A) In the case of a barrister and attorney holding a current practicing certificate issued under section 10 of the Bermuda Bar Act 1974 who derives less than 50% of his gross earnings by means of the collection of debt on behalf of creditors, this Act applies except for the following provisions—

- (a) Part 3, providing for licensing of debt collectors;
- (b) Part 5 with respect to sections 24, 25 and 26, providing for inspections and investigations of debt collectors; and
- (c) Part 6 with respect to section 27, providing power to revoke a debt collector's licence.”.

Made this 20th day of August 2020

Minister of Home Affairs

[Operative Date: 24 August 2020]