

SCHEDULES

SCHEDULE 6

TRANSITIONAL PROVISIONS (ENGLAND AND WALES)

- 1 Section 20 of the principal Act (which provides for the limited application of certain provisions of that Act to agreements made before the commencement of the Act and in all other respects excludes such agreements from that Act) shall have effect in relation—
 - (a) to hire-purchase agreements of a class to which the principal Act applies by virtue only of subsections (1) and (2) of section 1 of this Act, and
 - (b) to conditional sale agreements to which section 21 of this Act applies, as if any reference in the said section 20 to the commencement of the principal Act were a reference to the commencement of this Act.
- 2 The following provisions of Part I of this Act shall, to the extent specified in this paragraph, have effect in relation to all hire-purchase agreements to which the principal Act applies, whether by virtue of section 1 of this Act or otherwise, and whether made before or after the commencement of this Act, and in relation to all conditional sale agreements to which section 21 of this Act applies, whether made before or after the commencement of this Act, that is to say—
 - (a) section 15, except in relation to a default committed before the commencement of this Act,
 - (b) sections 16 and 17, except where the hirer or buyer has died before the commencement of this Act, and
 - (c) sections 14, 18 and 19, so far as they relate to actions begun after the commencement of this Act.
- 3 Except as provided by paragraph 2 of this Schedule, Part I of this Act, and section 34 of this Act in so far as it amends or repeals any enactment contained in the principal Act or the Hire-Purchase Act 1954, shall not have effect in relation to any hire-purchase agreement, credit-sale agreement or conditional sale agreement made before the commencement of this Act.
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 - (1) In relation to hire-purchase agreements of a class to which the principal Act applies by virtue only of an Order in Council made under section 1(3) of this Act, and in relation to conditional sale agreements of a class to which section 21 of this Act applies by virtue only of such an Order, subsections (1) and (2) of section 20 of the principal Act shall apply as if any reference in those subsections to the commencement of the principal Act were a reference to the coming into operation of that Order.
 - (2) In relation to any such agreement as is mentioned in the preceding sub-paragraph, whether made before, on or after the date on which the Order comes into operation.—
 - (a) section 15 of this Act shall apply, except in the case of a default committed before that date ;
 - (b) sections 16 and 17 of this Act shall apply, except where the hirer or buyer has died before that date; and

Status: This is the original version (as it was originally enacted).

- (c) sections 14, 18 and 19 of this Act shall apply so far as they relate to actions begun after that date.
- 5 Except as provided by the last preceding paragraph, the principal Act and Part I of this Act shall not have effect in relation to any hire-purchase agreement, credit-sale agreement or conditional sale agreement which—
- (a) is of a class to which the principal Act or, as the case may be, section 21 of this Act, applies by virtue only of such an Order in Council as is mentioned in the last preceding paragraph, and
 - (b) is made before the date on which that Order comes into operation.
- 6 For the purposes of the operation of this Schedule in relation to conditional sale agreements—
- (a) any reference in section 20 of the principal Act to a hire purchase agreement shall be construed as a reference to a conditional sale agreement;
 - (b) that section shall be construed subject to the modifications specified in subparagraphs (a) to (e) of paragraph 2(1) of Schedule 1 to this Act;
 - (c) any reference in that section to any other provision of the principal Act shall be construed as a reference to that provision as modified by that Schedule.
- 7 (1) Section 21(1) of the principal Act shall have effect for the purposes of this Schedule as it has effect for the purposes of that Act.
- (2) In this Schedule "the principal Act" means the Hire-Purchase Act 1938, "conditional sale agreement" has the meaning assigned to it by subsection (5) of section 21 of this Act, and any reference to a conditional sale agreement to which that section applies shall be construed as if this Schedule were included in that section after subsection (2) thereof, and references to conditional sale agreements of a class to which that section applies shall be construed accordingly.