Hire-Purchase Act 1964

1964 CHAPTER 53

PART I

AMENDMENT OF LAW RELATING TO HIRE-PURCHASE AND CREDIT-SALE IN ENGLAND AND WALES

22 Legibility of documents

(1) The Board of Trade may make regulations prescribing such requirements (whether as to type, size, colour or disposition of lettering, quality or colour of paper, or otherwise) as the Board may consider appropriate for securing that documents to which this section applies are easily legible.

(2) Subject to the provisions of subsection (4) of this section, the documents to which this section applies are documents of any of the following descriptions, that is to say—

(a) any hire-purchase agreement to which the principal Act applies, and any such copy as is mentioned in paragraph (d) or paragraph (e) of section 2(2) of that Act;

(b) any credit-sale agreement to which the principal Act applies under which the total purchase price exceeds £30, and any such copy as is mentioned in paragraph (c) or paragraph (d) of section 3(2) of that Act;

(c) any copy supplied to a hirer or buyer in pursuance of a request made by him under section 6 of the principal Act;

(d) any note or memorandum of a contract of guarantee relating to such a hire-purchase agreement or credit-sale agreement as is mentioned in paragraph (a) or paragraph (b) of this subsection, and any such copy as is mentioned in paragraph (a) or paragraph (b) of section 20(1) of this Act;

(e) any such copy as is mentioned in paragraph (a) or paragraph (b) of subsection (4) of section 20 of this Act which is supplied to a guarantor in pursuance of a request made by him under subsection (3) of that section.

(3) A hire-purchase agreement, credit-sale agreement or contract of guarantee shall not be invalid by reason only that any regulations made under this section are not complied

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with; but where the requirements of any such regulations relating to a document are not complied with.—

(a) if the document falls within paragraph (a) or paragraph (b) of the last preceding subsection, section 2(2) or section 3(2) of the principal Act shall apply as if those requirements were included among the requirements specified in paragraphs (b) to (e) of the said section 2(2) or paragraphs (b) to (d) of the said section 3(2), as the case may be;

(b) if the document is a copy falling within paragraph (c) or paragraph (e) of the last preceding subsection, section 6(2) of the principal Act, or section 20(5) of this Act, shall apply as if that copy had not been supplied to the hirer or buyer, or the guarantor, as the case may be;

(c) if the document falls within paragraph (d) of the last preceding subsection, subsections (1) and (2) of section 20 of this Act shall apply as if the requirements of the regulations relating to that document were included among the requirements imposed by subsection (1) of that section.

(4) Without prejudice to the operation of section 33(3) of this Act in relation to any regulations made under this section, any such regulations—

(a) may specify which parts of the contents of a document to which the regulations apply are permitted to consist of handwriting or a reproduction of handwriting, and may prescribe different requirements in relation to so much of the contents of such a document as is permitted to consist, and consists, of handwriting or a reproduction of handwriting and in relation to the remainder of the contents of such a document; and

(b) may except from any of the requirements of the regulations any marginal notes or other subsidiary parts of a document.

(5) In relation to so much of any document falling within paragraph (a) or paragraph (b) of subsection (2) of this section as consists of—

(a) words or other matters prescribed by regulations made under section 3(4) of this Act, or

(b) a statement required to be contained therein as prescribed by regulations made under section 2(2) or section 3(2) of the principal Act as modified by section 5 of this Act,

any regulations made under this section shall have effect subject to the provisions of the regulations referred to in paragraph (a) or paragraph (b) of this subsection, as the case may be.