



Consumer Credit Act 1974

CHAPTER 39

CONSUMER CREDIT ACT 1974

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Panels

- 3 (1) The Lord Chancellor shall appoint a panel of persons...

Terms of office etc.

- 4 (1) Each member of the panel of chairmen or the...

Remuneration and allowances

- 5 The Lord Chancellor may pay to a person in respect...

Staff and costs

- 6 (1) The Lord Chancellor may appoint such staff for the...

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Part 3 — CONSTITUTION OF THE TRIBUNAL

- 7 (1) On an appeal to the Tribunal, the persons to...

Part 4 — TRIBUNAL POWERS AND PROCEDURE

Sittings

- 8 The Tribunal shall sit at such times and in such...

Evidence

- 9 (1) Subject to sub-paragraph (2), the Tribunal may, on an...

Rules on procedure

- 10 Rules may include, amongst other things, provision—

Council on Tribunals

- 11 The Consumer Credit Appeals Tribunal

Disposal of appeals

- 12 (1) The Tribunal shall decide an appeal by reference to...

Decisions of the Tribunal

- 13 (1) A decision of the Tribunal may be taken by...

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 15 Where— (a) the Tribunal disposes of an appeal or an...
 16 An order of the Tribunal under paragraph 14 or 15...

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SCHEDULE 2 — Examples of Use of New Terminology

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Part II

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Example 1

Facts. Correspondence passes between an employee of a moneylending company (writing...

Analysis. The correspondence constitutes antecedent negotiations falling within section 56(1)(a), the...

Example 2

Facts. Representations are made about goods in a poster displayed by...

Analysis. The representations in the poster constitute antecedent negotiations falling within...

Example 3

Facts. Discussions take place between a shopkeeper and a customer about...

Analysis. The discussions constitute antecedent negotiations falling within section 56(1)(c), the...

Example 4

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Facts. Discussions take place and correspondence passes between a secondhand car...

Analysis. The discussions and correspondence constitute antecedent negotiations in relation both...

Example 5

Facts. E agrees to sell to F (an individual) an item...

Analysis. This is a credit-sale agreement (see definition of “credit-sale agreement”...

Example 6

Facts. The G Bank grants H (an individual) an unlimited overdraft...

Analysis. Although the overdraft purports to be unlimited, the stipulation for...

Example 7

Facts. J is an individual who owns a small shop which...

Analysis. Although the agreement appears to provide unlimited credit, it is...

Example 8

Facts. U, a moneylender, lends £500 to V (an individual) knowing...

Analysis. Although this appears to fall under section 11(1)(b), it is...

Example 9

Facts. A agrees to lend B (an individual) £4,500 in nine...

Analysis. This is a cash loan and is a form of...

Example 10

Facts. C (in England) agrees to bail goods to D (an...

Analysis. This is a hire-purchase agreement with a deposit of £1,000...

Example 11

Facts. X (an individual) borrows £500 from Y (Finance). As a...

(a) to execute a second mortgage on his house in...

(b) to take out a policy of insurance on his...

In accordance with the loan agreement, the policy is charged...

Analysis. The second mortgage is a transaction for the provision of...

Example 12

Facts. The N Bank agrees to lend O (an individual) £2,000...

Analysis. The agreement is a consumer credit agreement by virtue of...

Example 13

Facts. Q, a debt-adjuster, agrees to pay off debts owed by...

Analysis. This is an agreement to refinance existing indebtedness of the...

Example 14

Facts. On payment of £1, S issues to T (an individual)...

Analysis. The trading check is a credit-token falling within section 14(1)(b)....

Example 15

Facts. A retailer L agrees with M (an individual) to open...

Analysis. This agreement provides credit falling within the definition of running-account...

Example 16

Facts. Under an unsecured agreement, A (Credit), an associate of the...

Analysis. This is a credit-token agreement falling within section 14(1)(a) and...

Example 17

Facts. The manager of the C Bank agrees orally with D...

Analysis. In drawing the cheque D, by implication, requests the Bank...

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Example 18

Facts.F (an individual) has had a current account with the...

Analysis.It might well be held that the agreement with F...

Example 19

Facts.H (a finance house) agrees with J (a partnership of...

Analysis.This is a personal running-account credit agreement (see sections 8(1)...

Example 20

Facts.K (in England) agrees with L (an individual) to bail...

Analysis.This is not a hire-purchase agreement (see paragraph (b) of...

Example 21

Facts.The P Bank decides to issue cheque cards to its...

Analysis.The agreement under which the cheque card is issued to...

Example 22

Facts.The facts are as in Example 16. On one occasion...

Analysis.In exceeding his credit limit B, by implication, requests A...

Example 23

Facts.Under an oral agreement made on 10th January, X (an...

Analysis.The agreement of 10th January is a consumer credit agreement...

Example 24

Facts.On 1st March 1975 Z (in England) enters into an...

Analysis.When entered into on 1st March 1975, the agreement is...

The effect of the modifying agreement of 1st January 1978...

The total rental under the modifying agreement is £1,850. Accordingly...

SCHEDULE 2A — MEANING OF “DEBTOR” IN RELATION TO GREEN DEAL AGREEMENTS

SCHEDULE 3 — Transitional and Commencement Provisions

Note.Except as otherwise mentioned in this Schedule, the provisions of...

Part II of Act — CREDIT AGREEMENTS, HIRE AGREEMENTS AND LINKED TRANSACTIONS

Regulated agreements

- 1 (1) An agreement made before 1st April 1977 is not a...

Linked transactions

- 2 A transaction may be a linked transaction in relation to...
- 3 Section 19(3) applies only to transactions entered into on or...

Total charge for credit

- 4 Section 20 applies to consumer credit agreements whenever made.
- Part III of Act — LICENSING OF CREDIT AND HIRE BUSINESSES

...

- 5

6

Advertisements

Canvassing

Circulars to minors

...

Antecedent negotiations

General

Liability of creditor for breaches by supplier

Duty to give notice

Duty to give information

Appropriation of payments

Variation of agreements

Misuse of credit facilities

20 (1) Sections 83 and 84 come into operation on 19th...

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Duty on issue of new credit-tokens

- 21 (1) Section 85 comes into operation on 19th May 1985....

Death of debtor or hirer

- 22 (1) Section 86 comes into operation on 19th May 1985....
Part VII of Act — DEFAULT AND TERMINATION

Default notices

- 23 Sections 87 to 89 come into operation on 19th May...

Retaking of goods and land

- 24 Sections 90 and 91 come into operation on 19th May...
25 Section 92 comes into operation on 19th May 1985.

Interest on default

- 26 Section 93 comes into operation on 19th May 1985.

Early payment by debtor

- 27 Sections 94 to 97 come into operation on 19th May...

Termination of agreements

- 28 Section 98 comes into operation on 19th May 1985.
29 Section 99 comes into operation on 19th May 1985.
30 Section 100 comes into operation on 19th May 1985.
31 Section 101 comes into operation on 19th May 1985.
32 Section 102 comes into operation on 19th May 1985.
33 Section 103 comes into operation on 19th May 1985.
34 Section 104 comes into operation on 19th May 1985.

Old agreements

- 35 Part VII (except sections 90, 91, 93 and 99 to...
Part VIII of Act — SECURITY

General

- 36 Section 105 comes into operation on 19th May 1985.
37 (1) Sections 107 to 110 come into operation on 19th...
38 (1) Section 111 comes into operation on 19th May 1985....

Pledges

- 39 Sections 114 to 122 come into operation on 19th May...

Negotiable instruments

- 40 Sections 123 to 125 come into operation on 19th May...

Land mortgages

- 41 Section 126 comes into operation on 19th May 1985.
Part IX of Act — JUDICIAL CONTROL

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- 42 Sections 137 to 140 (extortionate credit bargains) come into operation...
- 43 Subject to paragraph 42, Part IX comes into operation on...
- Part X of Act — ANCILLARY CREDIT BUSINESSES

...

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...

45

...

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Advertisements

- 47 Subsections (1) and (2) of section 151 do not apply...

Credit Reference Agencies

- 48 Sections 157 and 158 do not apply to a request...
- Part XII of Act — SUPPLEMENTAL

Interpretation

- 49 (1) In the case of an agreement—
- 50 In section 189, the definition of “local authority ” shall...

SCHEDULE 4. — MINOR AND CONSEQUENTIAL AMENDMENTS

PART I — UNITED KINGDOM

Bills of Sale Act (1878) Amendment Act 1882

- 1 The following section shall be inserted after section 7 Default...

Factors Act 1889

- 2 At the end of section 9 insert For the purposes...
- 3, 4 MINOR AND CONSEQUENTIAL AMENDMENTS

Law of Distress Amendment Act 1908

- 5 The following section shall be inserted after section 4— Hire...

Bankruptcy Act 1914

- 6 The following section shall be inserted after section 38— Hire...

Compensation (Defence) Act 1939

- 7 In section 13 after “hire-purchase agreement ” insert “or a...
- 8 In section 17(1)— (1) After the definition of “aircraft ”...

Liability for War Damage (Miscellaneous Provisions) Act 1939

- 9 In section 1(3), for paragraphs (a) and (b) substitute—
- 10 MINOR AND CONSEQUENTIAL AMENDMENTS

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Rag Flock and Other Filing Materials Act 1951

11 MINOR AND CONSEQUENTIAL AMENDMENTS

Reserve and Auxiliary Forces (Protection of Civil Interest) Act 1951

- 12 In section 4 for subsections (4), (5) and (6), substitute—...
- 13 For section 10 substitute— Property in goods subject to hire-purchase...
- 14 In section 64(I)— (1) after the definition of “compulsory national...

Clean Air Act 1956

15 MINOR AND CONSEQUENTIAL AMENDMENTS

16 MINOR AND CONSEQUENTIAL AMENDMENTS

Restrictive Trade Practices Act 1956

- 17 For section 26(3) substitute— (3) In this Part of this...

Housing Act 1957

- 18 For section 94 substitute— Power to provide furniture. A local authority may fit out, furnish and supply any...

County Courts Act 1959

19 MINOR AND CONSEQUENTIAL AMENDMENTS

20, 21 MINOR AND CONSEQUENTIAL AMENDMENTS

Hire Purchase Act 1964

- 22 For Part III substitute the following (which reproduces the existing...

Emergency Laws (Re-enactment and Repeals) Act 1964

- 23 In section 1— (1) In subsection (1) for “or credit-sale...

Trading Stamps Act 1964

- 24 In section 2, for subsection (1) substitute— No person shall after the coming into force of this...
- 25 In section 3, for subsection (4) substitute—
- 26 In section 10(1)— (1) after the definition of “cash value...

Housing (Scotland) Act 1966

27 MINOR AND CONSEQUENTIAL AMENDMENTS

Trade Descriptions Act 1968

- 28 MINOR AND CONSEQUENTIAL AMENDMENTS
- 29 MINOR AND CONSEQUENTIAL AMENDMENTS

Administration of Justice Act 1970

- 30 After section 38 insert the following new section— This Part of this Act shall not apply to a...
- 31 In section 54(6)(c) after “36 ” insert “38A ”.

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Vehicles (Excise) Act 1971

- 32 MINOR AND CONSEQUENTIAL AMENDMENTS
- 33 MINOR AND CONSEQUENTIAL AMENDMENTS

Counter-Inflation Act 1973

- 34 In section 21(5)— (a) for “total purchase price or hire-purchase...

Supply of Goods (Implied Terms) Act 1973

- 35 For sections 8 to 12 substitute the following sections (which...
- 36 For sections 14 and 15 substitute the following sections (which...

Fair Trading Act 1973

- 37 MINOR AND CONSEQUENTIAL AMENDMENTS
- Part II — NORTHERN IRELAND

Irish Bankrupt and Insolvent Act 1857

- 38 MINOR AND CONSEQUENTIAL AMENDMENTS

Bills of Sale (Ireland) Act (1879) Amendment Act 1883

- 39 The following section shall be inserted after section 7:— Defaults...

Liability for War Damage (Miscellaneous Provisions) Act (Northern Ireland) 1939

- 40 In section 1(3), for paragraph (a) and (b) substitute—
- 41, 42 MINOR AND CONSEQUENTIAL AMENDMENTS

Trading Stamps Act (Northern Ireland) 1965

- 43 In section 2, for subsection (1) substitute—
- 44 In section 3, for subsection (4) substitute—
- 45 In section 9— (1) after the definition of “cash value...
- 46, 47 MINOR AND CONSEQUENTIAL AMENDMENTS
- 48 MINOR AND CONSEQUENTIAL AMENDMENTS

Hire-Purchase Act (Northern Ireland) 1966

- 49 For Part VI substitute the following (which reproduces the existing...

Vehicles (Excise) Act (Northern Ireland) 1972

- 50 MINOR AND CONSEQUENTIAL AMENDMENTS

Miscellaneous Transferred Excise Duties Act (Northern Ireland) 1972

- 51 In section 1(2) for “VII ” where first occurring substitute...

Schedule 5 — Repeals

Changes to legislation:

Consumer Credit Act 1974 is up to date with all changes known to be in force on or before 12 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 16(1)(ff) words repealed by [1996 c. 52 Sch. 19 Pt. 14](#)
- s. 25(1C) words substituted by [S.I. 2013/3115 Sch. 2 para. 32](#) (Effect not applied as Pt. 3 was repealed for certain purposes at an earlier date)
- s. 51A51B inserted by [2010 c. 28 s. 15\(2\)](#)
- s. 51A modified by [2010 c. 28 s. 15\(4\)](#)
- s. 174 restricted by [2003 c. 20 s. 115](#) (This amendment not applied to [legislation.gov.uk](#). S. 174 already repealed (20.6.2003) by 2002 c. 40, ss. 247(d), 278, 279, Sch. 26; S.I. 2003/1397, art. 2, Sch. (with arts. 8, 10))
- s. 174 words substituted by [2003 c. 20 Sch. 2 para. 19\(d\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 174 already repealed (20.6.2003) by 2002 c. 40, ss. 247(d), 278, 279, Sch. 26; S.I. 2003/1397, art. 2, Sch. (with arts. 8, 10))
- Sch. 1 words inserted by [2010 c. 28 s. 15\(3\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 25(2A)(b)(ia) inserted by [2010 c. 28 Sch. 2 para. 36](#)