



# Consumer Credit Act 1974

## 1974 CHAPTER 39

### PART III

#### LICENSING OF CREDIT AND HIRE BUSINESSES

##### *Renewal, variation, suspension and revocation of licences*

#### 29 Renewal.

- (1) If the licensee under a standard licence, or the original applicant for, or any licensee under, a group licence of limited duration, wishes the [F<sup>1</sup>OFT] to renew the licence, whether on the same terms (except as to expiry) or on varied terms, he must, during the period specified by the [F<sup>1</sup>OFT] by general notice or such longer period as the [F<sup>1</sup>OFT] may allow, make an application to the [F<sup>1</sup>OFT] for its renewal.
- (2) The [F<sup>1</sup>OFT] may of [F<sup>2</sup>:its] own motion renew any group licence.
- (3) The preceding provisions of this Part apply to the renewal of a licence as they apply to the issue of a licence, except that section 28 does not apply to a person who was already excluded in the licence up for renewal.
- (4) Until the determination of an application under subsection (1) and, where an appeal lies from the determination, until the end of the appeal period, the licence shall continue in force, notwithstanding that apart from this subsection it would expire earlier.
- (5) On the refusal of an application under this section, the [F<sup>1</sup>OFT] may give directions authorising a licensee to carry into effect agreements made by him before the expiry of the licence.
- (6) General notice shall be given of the renewal of a group licence.

#### Textual Amendments

- F1** Words in s. 29 substituted (1.4.2003) by [Enterprise Act 2002 \(c. 40\), ss. 278, 279, Sch. 25 para. 6\(11\)\(a\)](#); [S.I. 2003/766, art. 2, Sch.](#) (with [art. 3](#))

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**F2** Word in s. 29(2) substituted (1.4.2003) by Enterprise Act 2002 (c. 40), ss. 278, 279, Sch. 25 para. 6(11)(b); S.I. 2003/766, art. 2, Sch. (with art. 3)

### 30 Variation by request.

- (1) On an application made by the licensee, the [F<sup>3</sup>OFT] may if [F<sup>4</sup>it] thinks fit by notice to the licensee vary a standard licence in accordance with the application.
- (2) In the case of a group licence issued on the application of any person, the [F<sup>3</sup>OFT] , on an application made by that person, may if [F<sup>4</sup>it] thinks fit by notice to that person vary the terms of the licence in accordance with the application; but the [F<sup>3</sup>OFT] shall not vary a group licence under this subsection by excluding a named person, other than the person making the request, unless that named person consents in writing to his exclusion.
- (3) In the case of a group licence from which (whether by name or description) a person is excluded, the [F<sup>3</sup>OFT] , on an application made by that person, may if [F<sup>4</sup>it] thinks fit, by notice to that person, vary the terms of the licence so as to remove the exclusion.
- (4) Unless the [F<sup>3</sup>OFT] determines to vary a licence in accordance with an application [F<sup>4</sup>it] shall, before determining the application, by notice—
  - (a) inform the applicant, giving [F<sup>5</sup>its] reasons, that [F<sup>4</sup>it] is minded to refuse the application, and
  - (b) invite the applicant to submit to the [F<sup>3</sup>OFT] representations in support of his application in accordance with section 34.
- (5) General notice shall be given that a variation of a group licence has been made under this section.

#### Textual Amendments

- F3** Words in s. 30 substituted (1.4.2003) by Enterprise Act 2002 (c. 40), ss. 278, 279, Sch. 25 para. 6(12)(a); S.I. 2003/766, art. 2, Sch. (with art. 3)
- F4** Words in s. 30 substituted (1.4.2003) by Enterprise Act 2002 (c. 40), ss. 278, 279, Sch. 25 para. 6(12)(a); S.I. 2003/766, art. 2, Sch. (with art. 3)
- F5** Word in s. 30(4)(a) substituted (1.4.2003) by Enterprise Act 2002 (c. 40), ss. 278, 279, Sch. 25 para. 6(12)(b); S.I. 2003/766, art. 2, Sch. (with art. 3)

### 31 Compulsory variation.

- (1) Where at a time during the currency of a licence the [F<sup>6</sup>OFT] is of the opinion that, if the licence had expired at that time, [F<sup>7</sup>it] would, on an application for its renewal or further renewal on the same terms (except as to expiry), have been minded to grant the application but on different terms, and that therefore the licence should be varied, [F<sup>7</sup>it] shall proceed as follows.
- (2) In the case of a standard licence the [F<sup>6</sup>OFT] shall, by notice—
  - (a) inform the licensee of the variations the [F<sup>6</sup>OFT] is minded to make in the terms of the licence, stating [F<sup>8</sup>its] reasons, and
  - (b) invite him to submit to the [F<sup>6</sup>OFT] representations as to the proposed variations in accordance with section 34.

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- (3) In the case of a group licence the [F6OFT] shall—
- (a) give general notice of the variations [F9it] is minded to make in the terms of the licence, stating [F10its] reasons, and
  - (b) in the notice invite any licensee to submit to [F11it] representations as to the proposed variations in accordance with section 34.
- (4) In the case of a group licence issued on application the [F6OFT] shall also—
- (a) inform the original applicant of the variations the [F6OFT] is minded to make in the terms of the licence, stating [F12its] reasons, and
  - (b) invite him to submit to the [F6OFT] representations as to the proposed variations in accordance with section 34.
- (5) If the [F6OFT] is minded to vary a group licence by excluding any person (other than the original applicant) from the group by name the [F6OFT] shall, in addition, take the like steps under section 28 as are required in the case mentioned in that section.
- (6) General notice shall be given that a variation of any group licence has been made under this section.
- (7) A variation under this section shall not take effect before the end of the appeal period.

#### Textual Amendments

- F6** Words in s. 31 substituted (1.4.2003) by [Enterprise Act 2002 \(c. 40\), ss. 278, 279, Sch. 25 para. 6\(13\)\(a\)](#); [S.I. 2003/766, art. 2, Sch.](#) (with art. 3)
- F7** Words in s. 31(1) substituted (1.4.2003) by [Enterprise Act 2002 \(c. 40\), ss. 278, 279, Sch. 25 para. 6\(13\)\(b\)](#); [S.I. 2003/766, art. 2, Sch.](#) (with art. 3)
- F8** Word in s. 31(2)(a) substituted (1.4.2003) by [Enterprise Act 2002 \(c. 40\), ss. 278, 279, Sch. 25 para. 6\(13\)\(c\)](#); [S.I. 2003/766, art. 2, Sch.](#) (with art. 3)
- F9** Words in s. 31(3) substituted (1.4.2003) by [Enterprise Act 2002 \(c. 40\), ss. 278, 279, Sch. 25 para. 6\(13\)\(d\)](#); [S.I. 2003/766, art. 2, Sch.](#) (with art. 3)
- F10** Words in s. 31(3) substituted (1.4.2003) by [Enterprise Act 2002 \(c. 40\), ss. 278, 279, Sch. 25 para. 6\(13\)\(d\)](#); [S.I. 2003/766, art. 2, Sch.](#) (with art. 3)
- F11** Words in s. 31(3) substituted (1.4.2003) by [Enterprise Act 2002 \(c. 40\), ss. 278, 279, Sch. 25 para. 6\(13\)\(d\)](#); [S.I. 2003/766, art. 2, Sch.](#) (with art. 3)
- F12** Word in s. 31(4)(a) substituted (1.4.2003) by [Enterprise Act 2002 \(c. 40\), ss. 278, 279, Sch. 25 para. 6\(13\)\(e\)](#); [S.I. 2003/766, art. 2, Sch.](#) (with art. 3)

## 32 Suspension and revocation.

- (1) Where at a time during the currency of a licence the [F13OFT] is of the opinion that if the licence had expired at that time [F14it] would have been minded not to renew it, and that therefore it should be revoked or suspended, [F14it] shall proceed as follows.
- (2) In the case of a standard licence the [F13OFT] shall, by notice—
- (a) inform the licensee that, as the case may be, the [F13OFT] is minded to revoke the licence, or suspend it until a specified date or indefinitely, stating [F15its] reasons, and
  - (b) invite him to submit representations as to the proposed revocation or suspension in accordance with section 34.
- (3) In the case of a group licence the [F13OFT] shall—

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- (a) give general notice that, as the case may be, [F16:it] is minded to revoke the licence, or suspend it until a specified date or indefinitely, stating [F17:its] reasons, and
  - (b) in the notice invite any licensee to submit to [F18:it] representations as to the proposed revocation or suspension in accordance with section 34.
- (4) In the case of a group licence issued on application the [F13:OFT] shall also—
- (a) inform the original applicant that, as the case may be, the [F13:OFT] is minded to revoke the licence, or suspend it until a specified date or indefinitely, stating [F19:its] reasons, and
  - (b) invite him to submit representations as to the proposed revocation or suspension in accordance with section 34.
- (5) If [F20:it] revokes or suspends the licence, the [F13:OFT] may give directions authorising a licensee to carry into effect agreements made by him before the revocation or suspension.
- (6) General notice shall be given of the revocation or suspension of a group licence.
- (7) A revocation or suspension under this section shall not take effect before the end of the appeal period.
- (8) Except for the purposes of section 29, a licensee under a suspended licence shall be treated, in respect of the period of suspension, as if the licence had not been issued; and where the suspension is not expressed to end on a specified date it may, if the [F13:OFT] thinks fit, be ended by notice given by [F21:it] to the licensee or, in the case of a group licence, by general notice.

#### Textual Amendments

- F13** Words in s. 32 substituted (1.4.2003) by Enterprise Act 2002 (c. 40), ss. 278, 279, Sch. 25 para. 6(14)(a); S.I. 2003/766, art. 2, Sch. (with art. 3)
- F14** Words in s. 32(1) substituted (1.4.2003) by Enterprise Act 2002 (c. 40), ss. 278, 279, Sch. 25 para. 6(14)(b); S.I. 2003/766, art. 2, Sch. (with art. 3); S.I. 2003/766, art. 2, Sch. (with art. 3)
- F15** Word in s. 32(2)(a) substituted (1.4.2003) by Enterprise Act 2002 (c. 40), ss. 278, 279, Sch. 25 para. 6(14)(c); S.I. 2003/766, art. 2, Sch. (with art. 3)
- F16** Words in s. 32(3) substituted (1.4.2003) by Enterprise Act 2002 (c. 40), ss. 278, 279, Sch. 25 para. 6(14)(d); S.I. 2003/766, art. 2, Sch. (with art. 3)
- F17** Words in s. 32(3) substituted (1.4.2003) by Enterprise Act 2002 (c. 40), ss. 278, 279, Sch. 25 para. 6(14)(d); S.I. 2003/766, art. 2, Sch. (with art. 3)
- F18** Words in s. 32(3) substituted (1.4.2003) by Enterprise Act 2002 (c. 40), ss. 278, 279, Sch. 25 para. 6(14)(d); S.I. 2003/766, art. 2, Sch. (with art. 3)
- F19** Word in s. 32(4)(a) substituted (1.4.2003) by Enterprise Act 2002 (c. 40), ss. 278, 279, Sch. 25 para. 6(14)(e); S.I. 2003/766, art. 2, Sch. (with art. 3)
- F20** Word in s. 32(5) substituted (1.4.2003) by Enterprise Act 2002 (c. 40), ss. 278, 279, Sch. 25 para. 6(14)(f); S.I. 2003/766, art. 2, Sch. (with art. 3)
- F21** Word in s. 32(8) substituted (1.4.2003) by Enterprise Act 2002 (c. 40), ss. 278, 279, Sch. 25 para. 6(14)(g); S.I. 2003/766, art. 2, Sch. (with art. 3)

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### 33 Application to end suspension.

- (1) On an application made by a licensee the [F22OFT] may, if [F23it] thinks fit, by notice to the licensee end the suspension of a licence, whether the suspension was for a fixed or indefinite period.
- (2) Unless the [F22OFT] determines to end the suspension in accordance with the application [F23it] shall, before determining the application, by notice—
  - (a) inform the applicant, giving [F24its] reasons, that [F23it] is minded to refuse the application, and
  - (b) invite the applicant to submit to the [F22OFT] representations in support of his application in accordance with section 34.
- (3) General notice shall be given that a suspension of a group licence has been ended under this section.
- (4) In the case of a group licence issued on application—
  - (a) the references in subsection (1) to a licensee include the original applicant;
  - (b) the [F22OFT] shall inform the original applicant that a suspension of a group licence has been ended under this section.

#### Textual Amendments

- F22** Words in s. 33 substituted (1.4.2003) by [Enterprise Act 2002 \(c. 40\), ss. 278, 279, Sch. 25 para. 6\(15\)\(a\)](#); S.I. 2003/766, [art. 2](#), Sch. (with [art. 3](#))
- F23** Words in s. 33 substituted (1.4.2003) by [Enterprise Act 2002 \(c. 40\), ss. 278, 279, Sch. 25 para. 6\(15\)\(a\)](#); S.I. 2003/766, [art. 2](#), Sch. (with [art. 3](#))
- F24** Word in s. 33(2)(a) substituted (1.4.2003) by [Enterprise Act 2002 \(c. 40\), ss. 278, 279, Sch. 25 para. 6\(15\)\(b\)](#); S.I. 2003/766, [art. 2](#), Sch. (with [art. 3](#))

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