



Consumer Credit Act 1974

1974 CHAPTER 39

PART VIII

SECURITY

Land mortgages

^{F1}[126 Enforcement of land mortgages.

- (1) A land mortgage securing an agreement of one the following types is enforceable (so far as is provided in relation to the agreement) on an order of the court only—
 - (a) a regulated agreement;
 - (b) a regulated mortgage contract;
 - (c) a consumer credit agreement which would, but for article 60D of the Regulated Activities Order (exempt agreements: exemption relating to the purchase of land for non-residential purposes), be a regulated agreement.
- (2) Subject to section 140A(5) (unfair relationships between creditors and debtors), a regulated mortgage contract which would, but for article 60C(2) of the Regulated Activities Order (exempt agreements: exemption relating to the nature of the agreement), be a regulated agreement is to be treated for the purposes of Part 9 (judicial control) as if it were a regulated agreement.
- (3) In this section, “regulated mortgage contract” has the meaning given by article 61(3) of the Regulated Activities Order (regulated mortgage contracts).]

Textual Amendments

- F1** S. 126 substituted (30.3.2014 for specified purposes, 1.4.2014 in so far as not already in force) by S.I. 2013/1881, **art. 20(38)** (as substituted (30.3.2014) by [The Financial Services and Markets Act 2000 \(Consumer Credit\) \(Miscellaneous Provisions\) \(No. 2\) Order 2014](#) (S.I. 2014/506), **arts. 1(2), 5(4)**)

Status:

Point in time view as at 01/04/2014.

Changes to legislation:

Consumer Credit Act 1974, Cross Heading: Land mortgages is up to date with all changes known to be in force on or before 11 April 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.