



Consumer Credit Act 1974

1974 CHAPTER 39

PART VIII

SECURITY

General

109 Duty to give information to surety under consumer hire agreement.

- (1) The owner under a regulated consumer hire agreement in relation to which security is provided, within the prescribed period after receiving a request in writing to that effect from the surety and payment of a fee of [^{F1}£1], shall give to the surety (if a different person from the hirer)—
 - (a) a copy of the executed agreement and of any other document referred to in it;
 - (b) a copy of the security instrument (if any); and
 - (c) a statement signed by or on behalf of the owner showing, according to the information to which it is practicable for him to refer, the total sum which has become payable under the agreement by the hirer but remains unpaid and the various amounts comprised in that total sum, with the date when each became due.
- (2) Subsection (1) does not apply to—
 - (a) an agreement under which no sum is, or will or may become, payable by the hirer, or
 - (b) a request made less than one month after a previous request under that subsection relating to the same agreement was complied with.
- (3) If the owner under an agreement fails to comply with subsection (1)—
 - (a) he is not entitled, while the default continues, to enforce the security, so far as provided in relation to the agreement; ^{F2} . . .
 - (b) ^{F2}
- (4) This section does not apply to a non-commercial agreement.

Changes to legislation: Consumer Credit Act 1974, Section 109 is up to date with all changes known to be in force on or before 23 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. (See end of Document for details) [View outstanding changes](#)

Textual Amendments

- F1** "£1" substituted (1.5.1998) in s. 109(1) by [S.I. 1998/997](#), [art. 3](#), [Sch.](#)
- F2** S. 109(3)(b) and preceding word repealed (26.5.2008) by [The Consumer Protection from Unfair Trading Regulations 2008 \(S.I. 2008/1277\)](#), [regs. 30\(1\)\(3\)](#), [Sch. 2 para. 27](#), [Sch. 4 Pt. 1](#) (with savings in [reg. 28\(2\)\(3\)](#))

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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](#)