



Consumer Credit Act 2006

2006 CHAPTER 14

Default under regulated agreements

16 Time orders

(1) In subsection (1) of section 129 of the 1974 Act (time orders) before paragraph (c) insert—

“(ba) on an application made by a debtor or hirer under this paragraph after he has been given a notice under section 86B or 86C; or”.

(2) After that section insert—

“129A Debtor or hirer to give notice of intent etc. to creditor or owner

(1) A debtor or hirer may make an application under section 129(1)(ba) in relation to a regulated agreement only if—

- (a) following his being given the notice under section 86B or 86C, he gave a notice within subsection (2) to the creditor or owner; and
- (b) a period of at least 14 days has elapsed after the day on which he gave that notice to the creditor or owner.

(2) A notice is within this subsection if it—

- (a) indicates that the debtor or hirer intends to make the application;
- (b) indicates that he wants to make a proposal to the creditor or owner in relation to his making of payments under the agreement; and
- (c) gives details of that proposal.”

(3) In section 143(b) of that Act (provision which may be made by rules of court in Northern Ireland) after “129(1)(b)” insert “ or (ba) ”.

(4) In section 32(1) of the Sheriff Courts (Scotland) Act 1971 (c. 58) (regulation of civil procedure in sheriff court) after paragraph (l) insert—

“(m) permitting the debtor or hirer in proceedings for—

Changes to legislation: There are currently no known outstanding effects for the Consumer Credit Act 2006, Section 16. (See end of Document for details)

- (i) a time order under section 129 of the Consumer Credit Act 1974 (time orders), or
 - (ii) variation or revocation, under section 130(6) of that Act (variation and revocation of time orders), of a time order made under section 129,
- to be represented by a person who is neither an advocate nor a solicitor.”
- (5) In section 32(2B) of the Solicitors (Scotland) Act 1980 (c. 46) (offence for unqualified persons to prepare certain documents)—
- (a) after “represent” insert “—(a)”;
 - (b) after “cause” insert—
 - “(b) a debtor or hirer in proceedings for—
 - (i) a time order under section 129 of the Consumer Credit Act 1974 (time orders); or
 - (ii) variation or revocation, under section 130(6) of that Act (variation and revocation of time orders), of a time order made under section 129”.

Commencement Information

II S. 16 in force at 1.10.2008 by S.I. 2007/3300, art. 3(3), Sch. 3

Changes to legislation:

There are currently no known outstanding effects for the Consumer Credit Act 2006, Section 16.