

STATUTORY INSTRUMENTS

1977 No. 802 (C. 30)

CONSUMER CREDIT

The Consumer Credit Act 1974 (Commencement No. 3)
Order 1977

Made - - - - - 6th May 1977

The Secretary of State, in exercise of powers conferred on him by sections 182(2) and 192(2) and (4) of the Consumer Credit Act 1974(a) and of all other powers enabling him in that behalf, hereby makes the following Order:—

Citation and interpretation

1.—(1) This Order may be cited as the Consumer Credit Act 1974 (Commencement No. 3) Order 1977.

(2) In this Order, “the Act” means the Consumer Credit Act 1974.

(3) The Interpretation Act 1889(b) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Appointment of days

2.—(1) For the purposes of paragraphs 10 and 11 of Schedule 3 to the Act, the appointed day shall be 1st July 1977.

(2) For the purposes of paragraph 15 of that Schedule, the appointed day shall be 1st July 1977 but only in relation to regulated agreements made on or after that day.

(3) For the purposes of paragraph 9 of that Schedule, the appointed day shall be 1st October 1977.

Amendments to Schedule 3 to the Act

3. Schedule 3 to the Act shall be amended so as to insert express references to the days appointed by article 2 above by the substitution for the words “the day appointed for the purposes of this paragraph” wherever they occur—

(a) in paragraphs 10 and 11 of the words “1st July 1977”;

(b) in paragraph 15 of the words “1st July 1977 but only in relation to regulated agreements made on or after that day”; and

(c) in paragraph 9 of the words “1st October 1977”.

(a) 1974 c. 39.

(b) 1889 c. 63.

Repeals

4. The repeals specified in Schedule 5 to the Act which are set out in the Schedule to this Order shall come into operation on the dates specified in that Schedule and shall have effect subject to the limitations there specified.

6th May 1977.

John Fraser,
Minister of State,
Department of Prices and Consumer Protection.

(Article 4)

SCHEDULE
REPEALS SPECIFIED IN SCHEDULE 5 TO THE ACT

PART I

UNITED KINGDOM

Chapter	Short Title	Extent of Repeal	Agreements in relation to which repeal not to have effect	Day appointed for coming into operation
1892 (55 & 56 Vict.) c. 4.	Betting and Loans (Infants) Act 1892.	Sections 2 to 4.		1st July 1977
		Section 6, except as far as it extends to Northern Ireland.		1st July 1977
		In section 7, the definitions of "indictment" and "summary conviction".		1st July 1977
1900 (63 & 64 Vict.) c. 51.	Moneylenders Act 1900.	Section 5.		1st July 1977
1927 (17 & 18 Geo. 5.) c. 21.	Moneylenders Act 1927.	Section 5(3).	Money-lending transactions made before 1st October 1977.	1st October 1977

PART II

NORTHERN IRELAND

Chapter	Short Title	Extent of Repeal	Agreements in relation to which repeal not to have effect	Day appointed for coming into operation
1933 c. 23 (N.I.).	Moneylenders Act (Northern Ireland) 1933.	Section 5(3).	Moneylending transactions made before 1st October 1977.	1st October 1977

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order brings into operation certain provisions of the Consumer Credit Act 1974 by appointing days for the purposes of Schedule 3 to that Act (which contains transitional and commencement provisions).

The appointed days (see article 2) are as follows:—

<i>Paragraph of Schedule 3 to the Act</i>	<i>Subject matter</i>	<i>Appointed day</i>
10	Section 50 (which relates to circulars to minors) to come into operation on appointed day.	1st July 1977
11	Section 51 (which relates to the prohibition of unsolicited credit-tokens) to come into operation on appointed day.	1st July 1977
15	Section 75 (which relates to the liability of a creditor for breaches by a supplier) to come into operation on appointed day.	1st July 1977 but only in relation to regulated agreements made on or after that day
9	Section 49 (which relates to the prohibition of canvassing debtor-creditor agreements off trade premises) to come into operation on appointed day.	1st October 1977

Articles 3 and 4 introduce consequential amendments and repeals.

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