

1988 No. 707

CONSUMER CREDIT

The Consumer Credit (Exempt Agreements) (No. 2)  
(Amendment) Order 1988

<i>Made</i> - - - -	<i>30th March 1988</i>
<i>Laid before Parliament</i>	<i>12th April 1988</i>
<i>Coming into force</i> -	<i>3rd May 1988</i>

The Secretary of State, after consulting in accordance with section 16(3) and (9) of the Consumer Credit Act 1974(a) the persons therein referred to, in exercise of the powers conferred on him by sections 16(1) and (4) and 182(2) and (4) of that Act and of all other powers enabling him in that behalf, hereby makes the following Order:-

1. This Order may be cited as the Consumer Credit (Exempt Agreements) (No. 2) (Amendment) Order 1988 and shall come into force on 3rd May 1988.

2. The Consumer Credit (Exempt Agreements) (No. 2) Order 1985(b) is hereby amended in paragraph (3) of Article 2-

(a) by inserting, after the word "only" in the first line, the figure "(i)", and

(b) by adding at the end of that paragraph the following:-

"or (ii) where a debtor-creditor agreement to finance the alteration, enlarging, repair or improvement of a dwelling, secured by a land mortgage on that dwelling, is made as a result of any such services as are described in section 4(3)(dd) of the Housing Associations Act 1985(c) which are certified as having been provided by-

- (a) a local authority;
- (b) a housing association within the meaning of section 1 of the Housing Associations Act 1985 or Article 114 of the Housing (Northern Ireland) Order 1981(d);
- (c) a body established by such a housing association for the purpose of providing such services as are described in the said section 4(3)(dd);
- (d) a charity;
- (e) the National Home Improvement Council; or
- (f) the Northern Ireland Housing Executive."

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(a) 1974 c.39; section 16 was amended by the Employment Protection Act 1975 (c.71), Schedule 18, the Telecommunications Act 1984 (c.12), Schedule 4, paragraph 60, the Building Societies Act 1986 (c.53), Schedule 18, paragraph 10, the Housing and Planning Act 1986 (c.63), section 22 and the Banking Act 1987 (c.22), section 88.

(b) S.I. 1985/757; relevant amending instruments are S.I. 1986/2186, 1987/1578.

(c) 1985 c.69; section 4(3) was amended by the insertion of paragraph (dd) by the Housing and Planning Act 1986 (c.63), section 19.

(d) S.I. 1981/156 (N.I.3).

30th March 1988

*Francis Maude*  
Parliamentary Under-Secretary of State,  
Department of Trade and Industry

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### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order further amends the Consumer Credit (Exempt Agreements) (No.2) Order 1985 ("the principal Order") insofar as it provides for the exemption of certain consumer credit agreements secured on land where the creditor is a body specified in the Schedule to the principal Order, a building society authorised under the Building Societies Act 1986, or an authorised institution under the Banking Act 1987 or a wholly-owned subsidiary of such an institution. The Order provides for the exemption of debtor-creditor agreements secured by a land mortgage made by such a creditor to finance the alteration, enlarging, repair or improvement of a dwelling, where the agreement is made as a result of services certified as having been provided by certain bodies listed in the Order.

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