
STATUTORY INSTRUMENTS

2007 No. 123 (C. 6)

CONSUMER CREDIT

**The Consumer Credit Act 2006 (Commencement No.
2 and Transitional Provisions and Savings) Order 2007**

Made - - - - 23rd January 2007

The Secretary of State makes the following Order in exercise of the powers conferred by sections 69(2) to (5) and 71(2) of the Consumer Credit Act 2006⁽¹⁾.

Citation

1. This Order may be cited as the Consumer Credit Act 2006 (Commencement No.2 and Transitional Provisions) Order 2007.

Interpretation

2. In this Order “the 2006 Act” means the Consumer Credit Act 2006.

Commencement

3.—(1) The provisions of the 2006 Act specified in Schedule 1 shall come into force on 31st January 2007.

(2) The provisions of the 2006 Act specified in Schedule 2 shall come into force on 6th April 2007.

Transitional Provisions

4. Subject to article 5, section 1 of the 2006 Act shall have no effect for the purposes of the 1974 Act, in relation to agreements made before 6th April 2007.

5. Section 1 of the 2006 Act shall have effect for the purposes of the definitions of “debtor” and “hirer” in section 189(1) of the 1974 Act wherever those expressions are used in—

- (a) sections 77A, 78(4A), 86A, 86B, 86C, 86D, 86E, 86F, 129(1)(ba) 129A, 130A and 187A of the 1974 Act;
- (b) section 143(b) of the 1974 Act in respect of an application under section 129(1)(ba) of that Act; and

(1) 2006 c.14.

(c) section 185(2) to (2C) of the 1974 Act insofar as it relates to a dispensing notice from a debtor authorising a creditor not to comply in the debtor's case with section 77A of that Act,

in relation to agreements made before 6 April 2007.

Ian McCartney
Minister for Trade, Investment and Foreign
Affairs
Department of Trade and Industry

23rd January 2007

SCHEDULE 1

Article 3(1)

PROVISIONS COMING INTO FORCE ON 31st JANUARY 2007

| <i>Provisions</i> | <i>Subject matter of provisions</i> |
|--|--|
| Section 8 | OFT to prepare information sheets on arrears and default |
| Section 69(1) insofar as it relates to paragraph 5 of Schedule 3 | Transitional provision |
| Paragraph 5 of Schedule 3 | Transitional provision relating to section 8 |

SCHEDULE 2

Article 3(2)

PROVISIONS COMING INTO FORCE ON 6TH APRIL 2007

| <i>Provisions</i> | <i>Subject Matter of Provisions</i> |
|---|---|
| Section 1 | Definition of individual |
| Section 15 | Repeal of section 127(3) to (5) of the 1974 Act (enforcement orders in cases of infringement) |
| Section 19 | Unfair relationships between creditors and debtors |
| Section 20 | Powers of court in relation to unfair relationships |
| Section 21 | Interpretation of sections 140A (unfair relationships between creditors and debtors) and 140B (powers of court in relation to unfair relationships) of the 1974 Act |
| Section 22 | Further provision relating to unfair relationships Repeal of sections 137 to 140 of the 1974 Act (extortionate credit bargains) |
| Section 69(1) insofar as it relates to paragraphs 11 and 14 to 16 of Schedule 3 | Transitional provision and savings |
| Paragraph 11 of Schedule 3 | Saving relating to repeal of section 127(3) to (5) of the 1974 Act (enforcement orders relating to improperly executed agreements) |
| Paragraph 14 of Schedule 3 | Transitional provision relating to section 140B of the 1974 Act (powers of court in relation to unfair relationships) |
| Paragraph 15 of Schedule 3 | Saving relating to repeal of sections 137 to 140 of the 1974 Act |

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|---|--|
| Paragraph 16 of Schedule 3 | Transitional provision relating to sections 140B and 140C (interpretation of sections 140A and 140B) |
| Schedule 4 for the purposes of the entries relating to sections 127(1) and (3) to (5), 137 to 140, 143(b), 181(1) in respect of the words "139(5) and (7)", 181(2) in respect of the words "or 139 (5) or (7)" and 185(3) of the 1974 Act | Repeals |

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force certain provisions of the Consumer Credit Act 2006, which amend the Consumer Credit Act 1974.

The provisions in Schedule 1 come into force on 31st January 2007 and the provisions in Schedule 2 come into force on 6th April 2007.

The remaining provisions of the Consumer Credit Act 2006 will be brought into force by subsequent Orders.

NOTE AS TO EARLIER COMMENCEMENT ORDER

(This note is not part of the Order)

The following provisions of the Consumer Credit Act 2006 have been brought into force by a commencement order made before the date of this Order.

| <i>Provision</i> | <i>Date of Commencement</i> | <i>SI No</i> |
|------------------|-----------------------------|---------------------------|
| s.3 (partially) | 16.06.2006 | 2006/1508 |
| s.4 (partially) | 16.06.2006 | 2006/1508 |
| s.6 (partially) | 16.06.2006 | 2006/1508 |
| s.7(1) and (2) | 16.06.2006 | 2006/1508 |
| s.9 (partially) | 16.06.2006 | 2006/1508 |
| s.10 (partially) | 16.06.2006 | 2006/1508 |
| s.12 (partially) | 16.06.2006 | 2006/1508 |
| s.14(1) | 01.10.2006 | 2006/1508 |
| s.14(2) | 16.06.2006 | 2006/1508 |
| s.17 (partially) | 16.06.2006 | 2006/1508 |

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|---|------------|---------------------------|
| s.18 | 16.06.2006 | 2006/1508 |
| s.24(2), (4) and (6) | 16.06.2006 | 2006/1508 |
| s.25(2) and (5) | 16.06.2006 | 2006/1508 |
| s.27(1) (partially) | 16.06.2006 | 2006/1508 |
| s.28 (partially) | 16.06.2006 | 2006/1508 |
| s.34(2) (partially) | 16.06.2006 | 2006/1508 |
| s.34(8) (partially) | 16.06.2006 | 2006/1508 |
| s.35 (partially) | 16.06.2006 | 2006/1508 |
| s.36 (partially) | 16.06.2006 | 2006/1508 |
| s.59, Sch.2 | 16.06.2006 | 2006/1508 |
| s.60 | 16.06.2006 | 2006/1508 |
| s.61 | 16.06.2006 | 2006/1508 |
| s.63 | 16.06.2006 | 2006/1508 |
| ss 65 to 68 | 16.06.2006 | 2006/1508 |
| s.69(1) (partially), Sch. 3, para 1(1) | 16.06.2006 | 2006/1508 |
| s.69(1) (partially), Sch. 3, para 10 | 01.10.2006 | 2006/1508 |
| s.69(2) to (5) | 16.06.2006 | 2006/1508 |