
STATUTORY INSTRUMENTS

2007 No. 3300 (C. 136)

CONSUMER CREDIT

**The Consumer Credit Act 2006
(Commencement No. 3) Order 2007**

Made - - - - 22nd November
2007

The Secretary of State makes the following Order in exercise of the powers conferred by sections 69(2) and (3) 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.3) 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 1st December 2007.

(2) The provisions of the 2006 Act specified in Schedule 2 shall come into force on 6th April 2008.

(3) The provisions of the 2006 Act specified in Schedule 3 shall come into force on 1st October 2008.

Gareth Thomas
Parliamentary Under Secretary of State for Trade
and Consumer Affairs
Department for Business, Enterprise &
Regulatory Reform

22nd November 2007

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SCHEDULE 1

Article 3(1)

PROVISIONS COMING INTO FORCE ON 1ST DECEMBER 2007

| <i>Provisions</i> | <i>Subject Matter of Provisions</i> |
|---|--|
| Section 30 | Guidance on fitness test |
| Section 33(4) | Consequential amendments relating to ss. 27 to 32 |
| Section 42 | Guidance on requirements |
| Section 44(1) | Provision of information etc. by applicants |
| Section 44(3) insofar as it inserts section 6(6) into the 1974 Act for the purpose of specifying the period referred to in that section | Provision of information etc. by applicants |
| Section 45 insofar as it inserts section 36A(6) and (7) into the 1974 Act | Duties to notify changes in information etc. |
| Section 54 | Statement of policy in relation to civil penalties |
| Section 55(1) insofar as it inserts section 40A(3) into the 1974 Act | The Consumer Credit Appeals Tribunal |
| Section 55(1) insofar as it inserts section 40A(4) into the 1974 Act insofar as it relates to paragraphs 9(2) and 10 of Schedule A1 | The Consumer Credit Appeals Tribunal |
| Section 55(1) insofar as it inserts section 40A(5) into the 1974 Act | The Consumer Credit Appeals Tribunal |
| Section 55(2) insofar as it inserts paragraphs 9(2) and 10 of Schedule A1 into the 1974 Act | The Consumer Credit Appeals Tribunal |
| Section 56(2) insofar as it inserts section 41(1D) into the 1974 Act | Appeals to the Consumer Credit Appeals Tribunal |
| Section 57 insofar as it inserts section 41A(6) into the 1974 Act | Appeals from the Consumer Credit Appeals Tribunal |
| Section 58(2) and (3) | Consequential amendments relating to appeals |
| Section 69(1) insofar as it relates to paragraphs 19 and 22 to 25 of Schedule 3 | Transitional provision and savings |
| Schedule 1 insofar as it inserts paragraphs 9(2) and 10 of Schedule A1 into the 1974 Act | Schedule A1 to the 1974 Act |
| Schedule 3, paragraphs 19 and 22 to 25 | Transitional provision and savings |

SCHEDULE 2

Article 3(2)

PROVISIONS COMING INTO FORCE ON 6TH APRIL 2008

| <i>Provisions</i> | <i>Subject Matter of Provisions</i> |
|-------------------|-------------------------------------|
|-------------------|-------------------------------------|

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|--------------------------------------|--|
| Section 3 for remaining purposes | Exemption relating to high net worth debtors and hirers |
| Section 4 for remaining purposes | Exemption relating to businesses |
| Section 5(1) to (4), (7) and (10) | Consequential amendments relating to ss. 1 to 4 |
| Section 23 | Definitions of consumer credit business and consumer hire business |
| Section 26 | Enforcement of agreements by unlicensed trader etc. |
| Section 27(1) for remaining purposes | Charge on applicants for licences etc. |
| Section 27(2) to (4) | |
| Section 28 for remaining purposes | Applications for standard licences |
| Section 29 | Issue of standard licences |
| Section 31 | Variation of standard licences etc. |
| Section 32 | Winding-up of standard licensee's business |
| Section 33(1) to (3) and (5) to (12) | Consequential amendments relating to ss. 27 to 32 |
| Section 34(1) | Definite and indefinite licences |
| Section 34(2) for remaining purposes | |
| Section 34(3) to (7) | |
| Section 34(8) for remaining purposes | |
| Section 34(9) | |
| Section 35 for remaining purposes | Charges for indefinite licences |
| Section 36 for remaining purposes | Extension of period to pay charge for indefinite licence |
| Section 37 | Failure to pay charge for indefinite licence |
| Section 38 | Power of OFT to impose requirements on licensees |
| Section 39 | Power of OFT to impose requirements on supervisory bodies |
| Section 40 | Supplementary provision relating to requirements |
| Section 41 | Procedure in relation to requirements |
| Section 43 | Consequential amendments relating to requirements |
| Section 44(2) | Provision of information etc. by applicants |

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| Section 44(3) for remaining purposes | |
| Section 45 for remaining purposes | Duties to notify changes in information etc. |
| Section 46 | Power of OFT to require information generally |
| Section 47 | Power of OFT to require access to premises |
| Section 48 | Entry to premises under warrant |
| Section 49 | Failure to comply with information requirement |
| Section 50 | Officers of enforcement authorities other than OFT |
| Section 51 | Consequential amendments relating to information |
| Section 52 | Power of OFT to impose civil penalties |
| Section 53 | Further provision relating to civil penalties |
| Section 55(1) insofar as it inserts section 40A(1) and (2) into the 1974 Act | The Consumer Credit Appeals Tribunal |
| Section 55(1) insofar as it inserts section 40A(4) into the 1974 Act insofar as it relates to paragraphs 1 to 9(1) and 12 to 16 of Schedule A1 | The Consumer Credit Appeals Tribunal |
| Section 55(2) insofar as it inserts paragraphs 1 to 9(1) and 12 to 16 of Schedule A1 into the 1974 Act | The Consumer Credit Appeals Tribunal |
| Section 56(1) | Appeals to the Consumer Credit Appeals Tribunal |
| Section 56(2) for remaining purposes | Appeals to the Consumer Credit Appeals Tribunal |
| Section 56(3) | Appeals to the Consumer Credit Appeals Tribunal |
| Section 57 for remaining purposes | Appeals from the Consumer Credit Appeals Tribunal |
| Section 58(1) and (4) | Consequential amendments relating to appeals |
| Section 62 | Monitoring of businesses by OFT |
| Section 64 | Determinations etc. by OFT |
| Section 69(1) insofar as it relates to paragraphs 18, 20, 21 and 26 to 28 of Schedule 3 | Transitional provision and savings |
| Section 70 insofar as it relates to provisions in Schedule 4 brought into force on 6th April 2008 by this Order | Repeals |
| Schedule 1 insofar as it inserts paragraphs 1 to 9(1) and 12 to 16 of Schedule A1 into the 1974 Act | Schedule A1 to the 1974 Act |
| Schedule 3, paragraphs 18, 20, 21 and 26 to 28 | Transitional provision and savings |

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| Schedule 4 for the purposes of the entries relating to sections 2(7), 6(2), 15, 22(9) and (10), 23(2), 25(1A), 29(5), 32(5), 36(6), 40(6), 41, 43, 147, 150 and 162 of the 1974 Act, section 181(1) and (2) of the 1974 Act in respect of the word “43(3)(a),” and section 189(1) of the 1974 Act in respect of the definition of “costs” and the words from “(including” onwards in the definition of “licence”, the Tribunals and Inquiries Act 1992 (c.53) and the Enterprise Act 2002 (c.40) | Repeals |
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SCHEDULE 3

Article 3(3)

PROVISIONS COMING INTO FORCE ON 1ST OCTOBER 2008

| <i>Provisions</i> | <i>Subject matter of provisions</i> |
|---|--|
| Section 6 for remaining purposes | Statements to be provided in relation to fixed-sum credit agreements |
| Section 7(3) | Further provision relating to statements |
| Section 9 for remaining purposes | Notice of sums in arrears under fixed-sum credit agreements etc. |
| Section 10 for remaining purposes | Notice of sums in arrears under running-account credit agreements |
| Section 11 | Failure to give notice of sums in arrears |
| Section 12 for remaining purposes | Notice of default sums |
| Section 13 | Interest on default sums |
| Section 14(3) | Default notices |
| Section 16 | Time orders |
| Section 17 for remaining purposes | Interest payable on judgment debts etc. |
| Section 24(1), (3) and (5) | Debt administration etc. |
| Section 25(1), (3) and (4) | Credit information services |
| Section 69(1) insofar as it relates to paragraphs 2 to 4, 6 to 9, 12 and 13 of Schedule 3 | Transitional provision and savings |
| Schedule 3, paragraphs 2 to 4, 6 to 9, 12 and 13 of Schedule 3 | Transitional provision and savings |

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EXPLANATORY NOTE

(This note is not part of the Order)

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

The provisions in Schedule 1 come into force on 1st December 2007, the provisions in Schedule 2 come into force on 6th April 2008 and the provisions in Schedule 3 come into force on 1st October 2008.

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

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

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

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|---------------------------|-----------------------------|-----------------|
| s.1 | 06.04.2007 | 2007/123 |
| s.3 (partially) | 16.06.2006 | 2006/1508 |
| s.4 (partially) | 16.06.2006 | 2006/1508 |
| s.5 (5), (6), (8) and (9) | 06.04.2007 | 2007/387 |
| s.6 (partially) | 16.06.2006 | 2006/1508 |
| s.7(1) and (2) | 16.06.2006 | 2006/1508 |
| s.8 | 31.01.2007 | 2007/123 |
| 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.15 | 06.04.2007 | 2007/123 |
| s.17 (partially) | 16.06.2006 | 2006/1508 |
| s.18 | 16.06.2006 | 2006/1508 |
| s.19 | 06.04.2007 | 2007/123 |
| s.20 | 06.04.2007 | 2007/123 |
| s.21 | 06.04.2007 | 2007/123 |

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| s.22 | 06.04.2007 | 2007/123 |
| 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 1(2) | 06.04.2007 | 2007/387 |
| s.69(1) (partially), Sch. 3, para 5 | 31.01.2007 | 2007/123 |
| s.69(1) (partially), Sch. 3, para 10 | 01.10.2006 | 2006/1508 |
| s.69(1) (partially), Sch. 3, paras 11 and 14 to 16 | 06.04.2007 | 2007/123 |
| s.69(1) partially, Sch.3, para 29 | 06.04.2007 | 2007/387 |
| s.69(2)-(5) | 16.06.2006 | 2006/1508 |
| s.70 (partially) | 06.04.2007 | 2007/387 |
| Sch. 4 (partially) | 06.04.2007 | 2007/123 |
| Sch. 4 (partially) | 06.04.2007 | 2007/387 |
