



Consumer Credit Act 1974

1974 CHAPTER 39

PART X

ANCILLARY CREDIT BUSINESSES

Credit reference agencies

159 Correction of wrong information.

[^{F1}(1) Any individual (the “objector”) given—

- (a) information under [^{F2}Article 15(1) to (3) of the [^{F3}UK GDPR] (confirmation of processing, access to data and safeguards for third country transfers)] by a credit reference agency, or
- (b) information under section 158,

who considers that an entry in his file is incorrect, and that if it is not corrected he is likely to be prejudiced, may give notice to the agency requiring it either to remove the entry from the file or amend it.]

(2) Within 28 days after receiving a notice under subsection (1), the agency shall by notice inform the [^{F4}objector] that it has—

- (a) removed the entry from the file, or
- (b) amended the entry, or
- (c) taken no action,

and if the notice states that the agency has amended the entry it shall include a copy of the file so far as it comprises the amended entry.

(3) Within 28 days after receiving a notice under subsection (2), or where no such notice was given, within 28 days after the expiry of the period mentioned in subsection (2), the [^{F4}objector] may, unless he has been informed by the agency that it has removed the entry from his file, serve a further notice on the agency requiring it to add to the file an accompanying notice of correction (not exceeding 200 words) drawn up by the [^{F4}objector], and include a copy of it when furnishing information included in or based on that entry.

Changes to legislation: Consumer Credit Act 1974, Section 159 is up to date with all changes known to be in force on or before 12 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (4) Within 28 days after receiving a notice under subsection (3), the agency, unless it intends to apply to the ^{F4}the relevant authority] under subsection (5), shall by notice inform the ^{F4}objector] that it has received the notice under subsection (3) and intends to comply with it.
- (5) If—
- (a) the ^{F4}objector] has not received a notice under subsection (4) within the time required, or
 - (b) it appears to the agency that it would be improper for it to publish a notice of correction because it is incorrect, or unjustly defames any person, or is frivolous or scandalous, or is for any other reason unsuitable,
- the ^{F4}objector] or, as the case may be, the agency may, in the prescribed manner and on payment of ^{F5}the prescribed fee], apply to ^{F4}the relevant authority], who may make such order on the application as he thinks fit.
- (6) If a person to whom an order under this section is directed fails to comply with it within the period specified in the order he commits an offence.
- ^{F6}(7) The ^{F7}Information Commissioner] may vary or revoke any order made by him under this section.
- (8) In this section “the relevant authority ” means—
- (a) where the objector is a partnership or other unincorporated body of persons, the ^{F8}FCA], and
 - (b) in any other case, the ^{F7}Information Commissioner].]

Textual Amendments

- F1** S. 159(1) substituted (1.3.2000) by 1998 c. 29, s.62(2); S.I. 2000/183, art. 2 (with ss. 159, 160)
- F2** Words in s. 159(1)(a) substituted (25.5.2018) by Data Protection Act 2018 (c. 12), s. 212(1), Sch. 19 para. 9 (with ss. 117, 209, 210, Sch. 20 para. 50); S.I. 2018/625, reg. 2(1)(g)
- F3** Words in s. 159(1)(a) substituted (31.12.2020) by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), Sch. 3 para. 5 (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in s. 159(2)-(6) substituted (1.3.2000) by 1998 c. 29, s. 62(3)(a)(b); S.I. 2000/183, art. 2 (with art. 2(2))
- F5** Words in s. 159(5) substituted (26.7.2013 for specified purposes, 1.4.2014 in so far as not already in force) by The Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) (No.2) Order 2013 (S.I. 2013/1881), arts. 1(2)(6), 20(45)
- F6** S. 159(7)(8) inserted (1.3.2000) by 1998 c. 29, s. 62(4); S.I. 2000/183, art. 2 (with art. 2(2))
- F7** Words in s. 159(7)(8)(b) substituted (30.1.2001) by 2000 c. 36, ss. 18(4), 87(2), Sch. 2 Pt. I para. 7 (with ss. 7(1)(7), 56, 78)
- F8** Word in s. 159(8)(a) substituted (26.7.2013 for specified purposes, 1.4.2014 in so far as not already in force) by The Financial Services Act 2012 (Consumer Credit) Order 2013 (S.I. 2013/1882), arts. 1(1), 7(11)

Modifications etc. (not altering text)

- C1** Ss. 157-160 applied (1.1.2016) by The Small and Medium Sized Business (Credit Information) Regulations 2015 (S.I. 2015/1945), regs. 1(2), 15(2)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 25(2A)(b)(ia) inserted by [2010 c. 28 Sch. 2 para. 36](#)