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DRAFT STATUTORY INSTRUMENTS

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**2010 No.**

**The Consumer Credit Act 1974 (Fees) Order 2010**

**Matters to be taken into account in fixing a fee to be paid under the 1974 Act**

**2.**—(1) The functions referred to in this paragraph are the OFT's functions under the 1974 Act.

(2) The matter referred to in this paragraph is the recovery of any past deficits incurred by the OFT in carrying out any of those functions.

(3) The matter referred to in paragraph (2) is specified for the purposes of section 102(4) of the 1987 Act as a matter which is to be taken into account in determining the costs of the functions referred to in paragraph (1) which are to be taken into account on the exercise by the OFT of the power to fix a fee under sections 2(4) and 6A of the 1974 Act<sup>(1)</sup>.

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(1) Section 2(4) was amended by section 278(1) of, and paragraph 6(1) and (3)(a) and (c) of Schedule 25 to the Enterprise Act 2002 (c.40), and section 6A was inserted by section 27(1) of the Consumer Credit Act 2006 (c.14).