



Consumer Credit Act 1974

CHAPTER 39

CONSUMER CREDIT ACT 1974

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- 93A Summary diligence not competent in Scotland.

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- 100 Liability of debtor on termination of hire-purchase etc. agreement.
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- 115 Penalty for failure to supply copies of pledge agreement, etc.
- 116 Redemption period.
- 117 Redemption procedure.
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- 119 Unreasonable refusal to deliver pawn.
- 120 Consequence of failure to redeem.
- 121 Realisation of pawn.
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- 123 Restrictions on taking and negotiating instruments.
- 124 Consequences of breach of s. 123.
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130A Interest payable on judgment debts etc.

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131 Protection orders.

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140C Interpretation of ss. 140A and 140B

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- 154 Prohibition of canvassing certain ancillary credit services off trade premises.
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- 156 Entry into agreements.

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- 157 Duty to disclose name etc. of agency.
- 158 Duty of agency to disclose filed information.
- 159 Correction of wrong information.
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- 172 Statements by creditor or owner to be binding.
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- 179 Power to prescribe form etc. of secondary documents.
- 180 Power to prescribe form etc. of copies.
- 181 Power to alter monetary limits etc.

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- 185 Agreement with more than one debtor or hirer.
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- 187A Definition of ‘default sum’
- 188 Examples of use of new terminology.
- 189 Definitions.
- 189A Meaning of “consumer credit EEA firm ”
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- 191 Special provisions as to Northern Ireland.
- 192 Transitional and commencement provisions, amendments and repeals.
- 193 Short title and extent.

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Part 1 — INTERPRETATION

- 1 In this Schedule— “the Deputy President” means the Deputy President...

Part 2 — THE TRIBUNAL

The President and the Deputy President

- 2 (1) The Lord Chancellor shall appoint one of the members...

Panels

- 3 (1) The Lord Chancellor shall appoint a panel of persons...

Terms of office etc.

- 4 (1) Each member of the panel of chairmen or the...

Remuneration and allowances

- 5 The Lord Chancellor may pay to a person in respect...

Staff and costs

- 6 (1) The Lord Chancellor may appoint such staff for the...

Part 3 — CONSTITUTION OF THE TRIBUNAL

- 7 (1) On an appeal to the Tribunal, the persons to...

Part 4 — TRIBUNAL POWERS AND PROCEDURE

Sittings

- 8 The Tribunal shall sit at such times and in such...

Evidence

- 9 (1) Subject to sub-paragraph (2), the Tribunal may, on an...

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Rules on procedure

10 Rules may include, amongst other things, provision—

Council on Tribunals

11 A member of the Council on Tribunals or of its...

Disposal of appeals

12 (1) The Tribunal shall decide an appeal by reference to...

Decisions of the Tribunal

13 (1) A decision of the Tribunal may be taken by...

Costs

14 (1) Where the Tribunal disposes of an appeal and—

15 Where— (a) the Tribunal disposes of an appeal or an...

16 An order of the Tribunal under paragraph 14 or 15...

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SCHEDULE 2 — Examples of Use of New Terminology

Part I — LISTS OF TERMS

Part II

SCHEDULE 3 — Transitional and Commencement Provisions

Part II of Act — CREDIT AGREEMENTS, HIRE AGREEMENTS AND LINKED
TRANSACTIONS

Regulated agreements

1 (1) An agreement made before 1st April 1977 is not a...

Linked transactions

2 A transaction may be a linked transaction in relation to...

3 Section 19(3) applies only to transactions entered into on or...

Total charge for credit

4 Section 20 applies to consumer credit agreements whenever made.

Part III of Act — LICENSING OF CREDIT AND HIRE BUSINESSES

Businesses needing a licence

5 (1) Section 21 does not apply to the carrying on...

The register

6 Sections 35 and 36 come into operation on 2nd February...

Enforcement of agreements made by unlicensed trader

7 Section 40 does not apply to a regulated agreement made...

Part IV of Act — SEEKING BUSINESS

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Advertisements

8 Part IV does not apply to any advertisement published before...

Canvassing

9 Section 49 comes into operation on 1st October 1977.

Circulars to minors

10 Section 50 comes into operation on 1st July 1977.

Unsolicited credit-tokens

11 (1) Section 51(1) does not apply to the giving of...
Part V of Act — ENTRY INTO CREDIT OR HIRE AGREEMENTS

Antecedent negotiations

12 (1) Section 56 applies to negotiations in relation to an...

General

13 Sections 57 to 59, 61 to 65 and 67 to...
14 Section 66 comes into operation on 19th May 1985.
Part VI of Act — MATTERS ARISING DURING CURRENCY OF CREDIT OR HIRE
AGREEMENTS

Liability of creditor for breaches by supplier

15 Section 75 comes into operation on 1st July 1977 but...

Duty to give notice

16 (1) Section 76 comes into operation on 19th May 1985....

Duty to give information

17 (1) Sections 77 to 80 come into operation on 19th...

Appropriation of payments

18 Section 81 comes into operation on 19th May 1985.

Variation of agreements

19 Section 82 comes into operation on 1st April 1977.

Misuse of credit facilities

20 (1) Sections 83 and 84 come into operation on 19th...

Duty on issue of new credit-tokens

21 (1) Section 85 comes into operation on 19th May 1985....

Death of debtor or hirer

22 (1) Section 86 comes into operation on 19th May 1985....
Part VII of Act — DEFAULT AND TERMINATION

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Default notices

23 Sections 87 to 89 come into operation on 19th May...

Retaking of goods and land

24 Sections 90 and 91 come into operation on 19th May...

25 Section 92 comes into operation on 19th May 1985.

Interest on default

26 Section 93 comes into operation on 19th May 1985.

Early payment by debtor

27 Sections 94 to 97 come into operation on 19th May...

Termination of agreements

28 Section 98 comes into operation on 19th May 1985.

29 Section 99 comes into operation on 19th May 1985.

30 Section 100 comes into operation on 19th May 1985.

31 Section 101 comes into operation on 19th May 1985.

32 Section 102 comes into operation on 19th May 1985.

33 Section 103 comes into operation on 19th May 1985.

34 Section 104 comes into operation on 19th May 1985.

Old agreements

35 Part VII (except sections 90, 91, 93 and 99 to...

Part VIII of Act — SECURITY

General

36 Section 105 comes into operation on 19th May 1985.

37 (1) Sections 107 to 110 come into operation on 19th...

38 (1) Section 111 comes into operation on 19th May 1985....

Pledges

39 Sections 114 to 122 come into operation on 19th May...

Negotiable instruments

40 Sections 123 to 125 come into operation on 19th May...

Land mortgages

41 Section 126 comes into operation on 19th May 1985.

Part IX of Act — JUDICIAL CONTROL

42 Sections 137 to 140 (extortionate credit bargains) come into operation...

43 Subject to paragraph 42, Part IX comes into operation on...

Part X of Act — ANCILLARY CREDIT BUSINESSES

Licensing

44 (1) Section 21(1) does not apply (by virtue of section...

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Enforcement of agreements made by unlicensed trader

45 Section 148(1) does not apply to an agreement made in...

Introductions by unlicensed credit-broker

46 Section 149 does not apply to a regulated agreement made...

Advertisements

47 Subsections (1) and (2) of section 151 do not apply...

Credit reference agencies

48 Sections 157 and 158 do not apply to a request...
Part XII of Act — SUPPLEMENTAL

Interpretation

49 (1) In the case of an agreement—
50 In section 189, the definition of “local authority ” shall...

SCHEDULE 4. — MINOR AND CONSEQUENTIAL AMENDMENTS
PART I — UNITED KINGDOM

Bills of Sale Act (1878) Amendment Act 1882

1 The following section shall be inserted after section 7 Default...

Factors Act 1889

2 At the end of section 9 insert For the purposes...
3, 4

Law of Distress Amendment Act 1908

5 The following section shall be inserted after section 4— Hire...

Bankruptcy Act 1914

6 The following section shall be inserted after section 38— Hire...

Compensation (Defence) Act 1939

7 In section 13 after “hire-purchase agreement ” insert “or a...
8 In section 17(1)— (1) After the definition of “aircraft ”...

Liability for War Damage (Miscellaneous Provisions) Act 1939

9 In section 1(3), for paragraphs (a) and (b) substitute—
10

Rag Flock and Other Filing Materials Act 1951

11

Reserve and Auxiliary Forces (Protection of Civil Interest) Act 1951

12 In section 4 for subsections (4), (5) and (6), substitute—...

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- 13 For section 10 substitute— Property in goods subject to hire-purchase...
- 14 In section 64(I)— (1) after the definition of “compulsory national...

Clean Air Act 1956

- 15
- 16

Restrictive Trade Practices Act 1956

- 17 For section 26(3) substitute— (3) In this Part of this...

Housing Act 1957

- 18 For section 94 substitute— Power to provide furniture. A local authority may fit out, furnish and supply any...

County Courts Act 1959

- 19
- 20, 21

Hire Purchase Act 1964

- 22 For Part III substitute the following (which reproduces the existing...

Emergency Laws (Re-enactment and Repeals) Act 1964

- 23 In section 1— (1) In subsection (1) for “or credit-sale...

Trading Stamps Act 1964

- 24 In section 2, for subsection (1) substitute— No person shall after the coming into force of this...
- 25 In section 3, for subsection (4) substitute—
- 26 In section 10(1)— (1) after the definition of “cash value...

Housing (Scotland) Act 1966

- 27

Trade Descriptions Act 1968

- 28 In section 28, insert the following new subsection after subsection...
- 29

Administration of Justice Act 1970

- 30 After section 38 insert the following new section— This Part of this Act shall not apply to a...
- 31 In section 54(6)(c) after “36 ” insert “38A ”.

Vehicles (Excise) Act 1971

- 32
- 33

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Counter-Inflation Act 1973

34 In section 21(5)— (a) for “total purchase price or hire-purchase...

Supply of Goods (Implied Terms) Act 1973

35 For sections 8 to 12 substitute the following sections (which...

36 For sections 14 and 15 substitute the following sections (which...

Fair Trading Act 1973

37 For section 138(5) substitute— (5) In subsection (4) of this...

Part II — NORTHERN IRELAND

Irish Bankrupt and Insolvent Act 1857

38

Bills of Sale (Ireland) Act (1879) Amendment Act 1883

39 The following section shall be inserted after section 7:— Defaults...

Liability for War Damage (Miscellaneous Provisions) Act (Northern Ireland) 1939

40 In section 1(3), for paragraph (a) and (b) substitute—

41, 42

Trading Stamps Act (Northern Ireland) 1965

43 In section 2, for subsection (1) substitute—

44 In section 3, for subsection (4) substitute—

45 In section 9— (1) after the definition of “cash value...

46, 47

48

Hire-Purchase Act (Northern Ireland) 1966

49 For Part VI substitute the following (which reproduces the existing...

Vehicles (Excise) Act (Northern Ireland) 1972

50

Miscellaneous Transferred Excise Duties Act (Northern Ireland) 1972

51 In section 1(2) for “VII ” where first occurring substitute...

Schedule 5 — Repeals

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