Consumer Credit Act 1974

CHAPTER 39

CONSUMER CREDIT ACT 1974

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The Consumer Credit Appeals Tribunal

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Analysis. The representations in the poster constitute antecedent negotiations falling within...

Example 3
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Analysis. The discussions constitute antecedent negotiations falling within section 56(1)(c), the...

Example 4
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Analysis. The discussions and correspondence constitute antecedent negotiations in relation both...
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Analysis. This is a credit-sale agreement (see definition of “credit-sale agreement... 
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Analysis. Although the overdraft purports to be unlimited, the stipulation for...
Example 7
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Analysis. Although the agreement appears to provide unlimited credit, it is...
Example 8
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Analysis. Although this appears to fall under section 11(1)(b), it is...
Example 9
Facts. A agrees to lend B (an individual) £4,500 in nine...
Analysis. This is a cash loan and is a form of...
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Analysis. This is a hire-purchase agreement with a deposit of £1,000...
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(a) to execute a second mortgage on his house in...
(b) to take out a policy of insurance on his...
In accordance with the loan agreement, the policy is charged...
Analysis. The second mortgage is a transaction for the provision of...
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Facts. The N Bank agrees to lend O (an individual) £2,000...
Analysis. The agreement is a consumer credit agreement by virtue of...
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Analysis. This is a personal running-account credit agreement (see sections 8(1))...

Example 20
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The total rental under the modifying agreement is £1,850. Accordingly...

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SCHEDULE 3 — Transitional and Commencement Provisions
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Part II of Act — CREDIT AGREEMENTS, HIRE AGREEMENTS AND LINKED TRANSACTIONS

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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

...
6  . . . . . . . . . .

7  . . . . . . . . .
   Part IV of Act — SEEKING BUSINESS

   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.

   . . . . . . . . . .

11  . . . . . . . . .
   Part V of Act — ENTRY INTO CREDIT OR HIRE AGREEMENTS

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

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22 (1) Section 86 comes into operation on 19th May 1985....

Part VII of Act — DEFAULT AND TERMINATION

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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.

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

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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

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...

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

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

Part IX of Act — JUDICIAL CONTROL
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Credit Reference Agencies

Sections 157 and 158 do not apply to a request...

Part XII of Act — SUPPLEMENTAL

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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

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

Factors Act 1889

At the end of section 9 insert For the purposes...

MINOR AND CONSEQUENTIAL AMENDMENTS

Law of Distress Amendment Act 1908

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

Bankruptcy Act 1914

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

Compensation (Defence) Act 1939

In section 13 after “hire-purchase agreement ” insert “or a...

In section 17(1) — (1) After the definition of “aircraft ”...

Liability for War Damage (Miscellaneous Provisions) Act 1939

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

MINOR AND CONSEQUENTIAL AMENDMENTS
Rag Flock and Other Filing Materials Act 1951

11  MINOR AND CONSEQUENTIAL AMENDMENTS

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

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

13  For section 10 substitute— Property in goods subject to hire-purchase...

14  In section 64(1)— (1) after the definition of “compulsory national...

Clean Air Act 1956

15  MINOR AND CONSEQUENTIAL AMENDMENTS

16  MINOR AND CONSEQUENTIAL AMENDMENTS

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  MINOR AND CONSEQUENTIAL AMENDMENTS

20, 21 MINOR AND CONSEQUENTIAL AMENDMENTS

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  MINOR AND CONSEQUENTIAL AMENDMENTS

Trade Descriptions Act 1968

28  MINOR AND CONSEQUENTIAL AMENDMENTS

29  MINOR AND CONSEQUENTIAL AMENDMENTS

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 MINOR AND CONSEQUENTIAL AMENDMENTS
33 MINOR AND CONSEQUENTIAL AMENDMENTS

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 MINOR AND CONSEQUENTIAL AMENDMENTS
Part II — NORTHERN IRELAND

Irish Bankrupt and Insolvent Act 1857
38 MINOR AND CONSEQUENTIAL AMENDMENTS

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 MINOR AND CONSEQUENTIAL AMENDMENTS

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 MINOR AND CONSEQUENTIAL AMENDMENTS
48 MINOR AND CONSEQUENTIAL AMENDMENTS

Hire-Purchase Act (Northern Ireland) 1966
49 For Part VI substitute the following (which reproduces the existing...

Vehicles (Excise) Act (Northern Ireland) 1972
50 MINOR AND CONSEQUENTIAL AMENDMENTS

Miscellaneous Transferred Excise Duties Act (Northern Ireland) 1972
51 In section 1(2) for “VII ” where first occurring substitute...

Schedule 5 — Repeals
**Changes to legislation:**

Consumer Credit Act 1974 is up to date with all changes known to be in force on or before 29 November 2020. 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.

View outstanding changes

<table>
<thead>
<tr>
<th>Changes and effects yet to be applied to:</th>
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<tbody>
<tr>
<td>– s. 8(3)(b) words substituted by S.I. 2019/632 reg. 194(2)</td>
</tr>
<tr>
<td>– s. 16(1)(ff) words repealed by 1996 c. 52 Sch. 19 Pt. 14</td>
</tr>
<tr>
<td>– s. 25(1C) words substituted by S.I. 2013/3115 Sch. 2 para. 32 (Effect not applied as Pt. 3 was repealed for certain purposes at an earlier date)</td>
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<tr>
<td>– s. 51A51B inserted by 2010 c. 28 s. 15(2)</td>
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<td>– s. 51A modified by 2010 c. 28 s. 15(4)</td>
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<tr>
<td>– s. 98A(5)(a) words substituted by S.I. 2018/1038 reg. 2(2)</td>
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<tr>
<td>– s. 119(2) words substituted by 2020 c. 17 Sch. 24 para. 29</td>
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<tr>
<td>– s. 157(2A)(a) words substituted by S.I. 2019/419 Sch. 3 para. 4</td>
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<tr>
<td>– s. 157(2A)(b) words substituted by S.I. 2018/1038 reg. 2(3)</td>
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<tr>
<td>– s. 159(1)(a) words substituted by S.I. 2019/419 Sch. 3 para. 5</td>
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<td>– s. 174 restricted by 2003 c. 20 s. 115 (This amendment not applied to legislation.gov.uk. S. 174 already repealed (20.6.2003) by 2002 c. 40, ss. 247(d), 278, 279, Sch. 26; S.I. 2003/1397, art. 2, Sch. (with arts. 8, 10))</td>
</tr>
<tr>
<td>– s. 174 words substituted by 2003 c. 20 Sch. 2 para. 19(d) (This amendment not applied to legislation.gov.uk. S. 174 already repealed (20.6.2003) by 2002 c. 40, ss. 247(d), 278, 279, Sch. 26; S.I. 2003/1397, art. 2, Sch. (with arts. 8, 10))</td>
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<td>– s. 189(1) words inserted by S.I. 2019/419 Sch. 3 para. 6(b)</td>
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<td>– s. 189(1) words omitted by S.I. 2019/419 Sch. 3 para. 6(a)</td>
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<td>– Sch. 1 words inserted by 2010 c. 28 s. 15(3)</td>
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<th>Changes and effects yet to be applied to the whole Act associated Parts and Chapters:</th>
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<tr>
<td>Whole provisions yet to be inserted into this Act (including any effects on those provisions):</td>
</tr>
<tr>
<td>– s. 8(3A) inserted by S.I. 2019/632 reg. 194(3)</td>
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<tr>
<td>– s. 25(2A)(b)(ia) inserted by 2010 c. 28 Sch. 2 para. 36</td>
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