



Consumer Credit Act 1974

1974 CHAPTER 39

PART XI

ENFORCEMENT OF ACT

168 Defences.

- (1) In any proceedings for an offence under this Act it is a defence for the person charged to prove—
 - (a) that his act or omission was due to a mistake, or to reliance on information supplied to him, or to an act or omission by another person, or to an accident or some other cause beyond his control, and
 - (b) that he took all reasonable precautions and exercised all due diligence to avoid such an act or omission by himself or any person under his control.
- (2) If in any case the defence provided by subsection (1) involves the allegation that the act or omission was due to an act or omission by another person or to reliance on information supplied by another person, the person charged shall not, without leave of the court, be entitled to rely on that defence unless, within a period ending seven clear days before the hearing, he has served on the prosecutor a notice giving such information identifying or assisting in the identification of that other person as was then in his possession.

Changes to legislation:

Consumer Credit Act 1974, Section 168 is up to date with all changes known to be in force on or before 15 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.

[View outstanding changes](#)

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](#)