



Consumer Credit Act 1974

1974 CHAPTER 39

PART XII

SUPPLEMENTAL

176 Service of documents.

- (1) A document to be served under this Act by one person (“the server ”) on another person (“the subject ”) is to be treated as properly served on the subject if dealt with as mentioned in the following subsections.
- (2) The document may be delivered or sent [^{F1}by an appropriate method] to the subject, or addressed to him by name and left at his proper address.
- (3) For the purposes of this Act, a document sent by post to, or left at, the address last known to the server as the address of a person shall be treated as sent by post to, or left at, his proper address.
- (4) Where the document is to be served on the subject as being the person having any interest in land, and it is not practicable after reasonable inquiry to ascertain the subject’s name or address, the document may be served by—
 - (a) addressing it to the subject by the description of the person having that interest in the land (naming it), and
 - (b) delivering the document to some responsible person on the land or affixing it, or a copy of it, in a conspicuous position on the land.
- (5) Where a document to be served on the subject as being a debtor, hirer or surety, or as having any other capacity relevant for the purposes of this Act, is served at any time on another person who—
 - (a) is the person last known to the server as having that capacity, but
 - (b) before that time had ceased to have it,the document shall be treated as having been served at that time on the subject.

Changes to legislation: Consumer Credit Act 1974, Section 176 is up to date with all changes known to be in force on or before 22 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

- (6) Anything done to a document in relation to a person who (whether to the knowledge of the server or not) has died shall be treated for the purposes of subsection (5) as service of the document on that person if it would have been so treated had he not died.
- [^{F2}(7) The following enactments shall not be construed as authorising service on the Public Trustee (in England and Wales) or the Probate Judge (in Northern Ireland) of any document which is to be served under this Act—
- section 9 of the Administration of Estates Act 1925;
- section 3 of the Administration of Estates Act (Northern Ireland) 1955.]
- (8) References in the preceding subsections to the serving of a document on a person include the giving of the document to that person.

Textual Amendments

- F1** Words in s. 176(2) substituted (31.12.2004) by [The Consumer Credit Act 1974 \(Electronic Communications\) Order 2004 \(S.I. 2004/3236\)](#), [art. 2\(6\)](#)
- F2** S. 176(7) substituted (1.7.1995) by [1994 c. 36, s. 21\(1\)](#), [Sch. 1 para. 6](#) (with s. 20); [S.I. 1995/1317](#), [art. 3](#)

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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](#)