



Consumer Credit Act 1974

1974 CHAPTER 39

PART V

ENTRY INTO CREDIT OR HIRE AGREEMENTS

Making the agreement

[^{F1}61A Duty to supply copy of executed consumer credit agreement

- (1) Where a regulated consumer credit agreement, other than an excluded agreement, has been made, the creditor must give a copy of the executed agreement, and any other document referred to in it, to the debtor.
- (2) Subsection (1) does not apply if—
 - (a) a copy of the unexecuted agreement (and of any other document referred to in it) has already been given to the debtor, and
 - (b) the unexecuted agreement is in identical terms to the executed agreement.
- (3) In a case referred to in subsection (2), the creditor must inform the debtor in writing—
 - (a) that the agreement has been executed,
 - (b) that the executed agreement is in identical terms to the unexecuted agreement a copy of which has already been given to the debtor, and
 - (c) that the debtor has the right to receive a copy of the executed agreement if the debtor makes a request for it at any time before the end of the period referred to in section 66A(2).
- (4) Where a request is made under subsection (3)(c) the creditor must give a copy of the executed agreement to the debtor without delay.
- (5) If the requirements of this section are not observed, the agreement is not properly executed.
- (6) For the purposes of this section, an agreement is an excluded agreement if it is—
 - (a) a cancellable agreement, or

Changes to legislation: Consumer Credit Act 1974, Section 61A is up to date with all changes known to be in force on or before 16 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

- (b) an agreement—
- (i) secured on land,
 - (ii) under which the creditor provides the debtor with credit which exceeds £60,260, or
 - (iii) entered into by the debtor wholly or predominantly for the purposes of a business carried on, or intended to be carried on, by him,
- unless the creditor or a credit intermediary has complied with or purported to comply with regulation 3(2) of the Consumer Credit (Disclosure of Information) Regulations 2010.

[An agreement is not an excluded agreement by virtue of subsection (6)(b)(ii) if it is ^{F2}(6A) a residential renovation agreement.]

[^{F3}(7) Article 60C(5) and (6) of the Regulated Activities Order applies for the purposes of subsection (6)(b)(iii).

- (8) In this section, “credit intermediary” means a person who in the course of business—
- (a) carries on any of the activities specified in article 36A(1)(d) to (f) of the Regulated Activities Order for a consideration that is or includes a financial consideration, and
 - (b) does not do so as a creditor.]]

Textual Amendments

- F1** S. 61A inserted (1.2.2011) by [The Consumer Credit \(EU Directive\) Regulations 2010 \(S.I. 2010/1010\)](#), [regs. 8, 99\(1\)](#) (with [regs. 100, 101](#))
- F2** [S. 61A\(6A\)](#) inserted (20.4.2015 for specified purposes, 21.12.2015 for specified purposes, 21.3.2016 in so far as not already in force) by [The Mortgage Credit Directive Order 2015 \(S.I. 2015/910\)](#), [art. 1\(5\)](#), [Sch. 1 para. 2\(5\)](#) (with [Pt. 4](#))
- F3** S. 61A(7)(8) substituted for s. 61A(7) (26.7.2013 for specified purposes, 1.4.2014 in so far as not already in force) by [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) \(No.2\) Order 2013 \(S.I. 2013/1881\)](#), [arts. 1\(2\)\(6\)](#), [20\(25\)](#)

Modifications etc. (not altering text)

- C1** S. 61A excluded (15.7.2014) by [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Green Deal\) \(Amendment\) Order 2014 \(S.I. 2014/1850\)](#), [arts. 1\(2\)](#), [12\(2\)](#) (with [art. 1\(3\)](#))

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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](#)