



Courts and Legal Services Act 1990

1990 CHAPTER 41

PART VI

MISCELLANEOUS AND SUPPLEMENTAL

Tying-in

PROSPECTIVE

104 Tying-in arrangements in connection with residential property loans.

- (1) In this section and sections 105 and 106 “residential property loan” means any loan which—
 - (a) is secured on land in the United Kingdom; and
 - (b) is made to an individual in respect of the acquisition of land which is for his residential use or the residential use of a dependant of his.
- (2) No person (“the lender”) shall provide a residential property loan together with one or more controlled services to another person (“the borrower”) unless the conditions mentioned in subsection (3) are complied with before a relevant step is taken with respect to any of those services or the loan.
- (3) The conditions are that the lender—
 - (a) informs the borrower by notice that the residential property loan, and each of the controlled services in question, are separate services;
 - (b) informs the borrower by notice whether the terms and conditions of the residential property loan will be capable of being varied by the lender after it is made;
 - (c) provides the borrower with a statement of—
 - (i) the price which will be payable by the borrower for each of the controlled services if they are all provided in accordance with the terms proposed by the lender; and

Status: This version of this provision is prospective.

Changes to legislation: Courts and Legal Services Act 1990, Section 104 is up to date with all changes known to be in force on or before 15 September 2023. 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](#)

- (ii) the extent to which (if at all) the terms and conditions of the residential property loan would differ if it were to be provided by the lender without the controlled services in question being provided by the lender; and
 - (d) informs the borrower by notice that, if the borrower declines to take from the lender any of the controlled services in question, the lender will not on that account refuse to provide the residential property loan.
- (4) A person who—
- (a) in the course of his business provides, or makes arrangements for the provision of, controlled services together with residential property loans; and
 - (b) advertises or in any other manner promotes—
 - (i) the provision of any controlled service or any residential property loan; or
 - (ii) the making by him of any such arrangements,
- shall comply with such requirements as to the information to be given, or which may not be given, in any such advertisement or promotion as the Secretary of State may by regulations impose.

Status:

This version of this provision is prospective.

Changes to legislation:

Courts and Legal Services Act 1990, Section 104 is up to date with all changes known to be in force on or before 15 September 2023. 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.

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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. 58A(2)(fe) inserted by [2021 c. 17 s. 53](#)