



Consumer Credit Act 2006

2006 CHAPTER 14

Default under regulated agreements

10 Notice of sums in arrears under running-account credit agreements

After section 86B of the 1974 Act (inserted by section 9 of this Act) insert—

“86C Notice of sums in arrears under running-account credit agreements

- (1) This section applies where at any time the following conditions are satisfied—
 - (a) that the debtor under an applicable agreement is required to have made at least two payments under the agreement before that time;
 - (b) that the last two payments which he is required to have made before that time have not been made;
 - (c) that the creditor has not already been required to give a notice under this section in relation to either of those payments; and
 - (d) if a judgment has been given in relation to the agreement before that time, that there is no sum still to be paid under the judgment by the debtor.
- (2) The creditor shall, no later than the end of the period within which he is next required to give a statement under section 78(4) in relation to the agreement, give the debtor a notice under this section.
- (3) The notice shall include a copy of the current arrears information sheet under section 86A.
- (4) The notice may be incorporated in a statement or other notice which the creditor gives the debtor in relation to the agreement by virtue of another provision of this Act.
- (5) The debtor shall have no liability to pay any sum in connection with the preparation or the giving to him of the notice.

Changes to legislation: There are currently no known outstanding effects for the Consumer Credit Act 2006, Section 10. (See end of Document for details)

- (6) Regulations may make provision about the form and content of notices under this section.
- (7) In this section ‘applicable agreement’ means an agreement which—
- (a) is a regulated agreement for running-account credit; and
 - (b) is neither a non-commercial agreement nor a small agreement.”

Commencement Information

- I1** [S. 10](#) in force at 16.6.2006 for specified purposes by [S.I. 2006/1508](#), [art. 3\(1\)](#), [Sch. 1](#)
- I2** [S. 10](#) in force at 1.10.2008 in so far as not already in force by [S.I. 2007/3300](#), [art. 3\(3\)](#), [Sch. 3](#)

Changes to legislation:

There are currently no known outstanding effects for the Consumer Credit Act 2006, Section 10.