

SCHEDULE 1

(Article 3)

AMENDMENTS TO SCHEDULE 3 TO THE ACT

1. There shall be substituted for the words “the day appointed for the purposes of this paragraph”, wherever they occur—

- (a) in paragraphs 1 and 19 the words “1st April 1977”; and
- (b) in paragraphs 12(1), 42 and 48 the words “16th May 1977”.

2. Paragraph 5 is amended so as to have effect as follows (the amendments being, for convenience, shown in bold type):

“Businesses needing a licence

5.—(1) Section 21 does not apply to the carrying on of any description of consumer credit business or consumer hire business—

- (a) **before 1st October 1977 in the case of a consumer credit business, not being a consumer credit business which is carried on by an individual and in the course of which only the following regulated consumer credit agreements (excluding agreements made before that date) are made, namely—**
 - (i) **agreements for fixed-sum credit not exceeding £30, and**
 - (ii) **agreements for running-account credit where the credit limit does not exceed that amount,**
- (b) **before the day appointed for the purposes of this paragraph in the case of any other description of consumer credit business, and**
- (c) **before 1st October 1977 in the case of any consumer hire business.**

(2) Where the person carrying on any description of consumer credit business or consumer hire business applies for a licence before the day **specified or referred to in subparagraph (1) above** in relation to a business of that description, he shall be deemed to have been granted on that day a licence covering that business and continuing in force until the licence applied for is granted or, if the application is refused, until the end of the appeal period.”

3. Paragraph 7 is amended so as to have effect as follows (the amendments being, for convenience, shown in bold type):

“Enforcement of agreements made by unlicensed trader

7. Section 40 does not apply to a regulated agreement made in the course of any business before the day **specified or referred to in paragraph 5(1) in relation to the description of business in question.**”

4. Paragraphs 44 and 45 are further amended so as to have effect as follows (the amendments being made to those paragraphs as originally enacted and being, for convenience, shown in bold type):

“Licensing

44.—(1) Section 21(1) does not apply (by virtue of section 147(1)) to the carrying on of any ancillary credit business before **3rd August 1976 in the case of any business so far as it comprises or relates to—**

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- (a) **debt-adjusting,**
- (b) **debt-counselling,**
- (c) **debt-collecting, or**
- (d) **the operation of a credit reference agency,**

or the day appointed for the purposes of this paragraph **in the case of any ancillary credit business so far as it comprises or relates to credit brokerage.**

(2) Where the person carrying on an ancillary credit business applies for a licence before **3rd August 1976** or the day appointed for the purposes of this paragraph **in the case of any ancillary credit business so far as it comprises or relates to credit brokerage**, he shall be deemed to have been granted on **3rd August 1976** or, **as the case may be, the day so appointed, a licence covering the description of ancillary credit business in question** and continuing in force until the licence applied for is granted or, if the application is refused, until the end of the appeal period.

Enforcement of agreements made by unlicensed trader

45. Section 148(1) does not apply to an agreement made in the course of any business before **3rd August 1976 in the case of any business so far as it comprises or relates to—**

- (a) **debt-adjusting,**
- (b) **debt-counselling,**
- (c) **debt-collecting, or**
- (d) **the operation of a credit reference agency,**

or the day appointed for the purposes of paragraph 44 in the case of any ancillary credit business so far as it comprises or relates to credit brokerage.”