
STATUTORY INSTRUMENTS

1989 No. 1125

The Consumer Credit (Advertisements) Regulations 1989

PART II

FORM AND CONTENT OF ADVERTISEMENTS

General rules

2.—(1) The person who causes any credit advertisement to be published shall ensure that, subject to the following provisions of these Regulations, every such advertisement is:—

- (a) a simple credit advertisement that is to say a credit advertisement containing only the information set out in paragraphs 1 to 5 of Part I of Schedule 1 to these Regulations in whole or in part and any other information referred to in paragraph 6;
- (b) an intermediate credit advertisement that is to say a credit advertisement containing only the information set out in paragraphs 1 to 9 of Part II of Schedule 1 and no other information except as referred to in paragraph 10;
- (c) a full credit advertisement that is to say a credit advertisement containing, subject to subparagraph (d) below, at least the information set out in Part III of Schedule 1; or
- (d) a full credit advertisement which invites individuals (being individuals who, at the date the advertisement is published, are debtors under agreements made with the advertiser) to agree to a specified variation of those agreements, containing—
 - (i) the name of the advertiser and a postal address of his and the information within Part III of Schedule 1 as varied in relation to those agreements if the invitation is accepted by the debtor; and
 - (ii) the information, other than the name and a postal address of the advertiser, specified in that Part which the advertisement does not indicate will remain unaltered if the invitation is accepted.

(2) The person who causes any hire advertisement to be published shall ensure that, subject to the following provisions of these Regulations, every such advertisement is—

- (a) a simple hire advertisement that is to say a hire advertisement containing only the information set out in paragraphs 1 to 5 of Part I of Schedule 2 to these Regulations in whole or in part and any other information referred to in paragraph 6;
- (b) an intermediate hire advertisement that is to say a hire advertisement containing only the information set out in paragraphs 1 to 7 of Part II of Schedule 2 and no other information except as referred to in paragraph 8;
- (c) a full hire advertisement that is to say a hire advertisement containing, subject to subparagraph (d) below, at least the information set out in Part III of Schedule 2, but not containing the expression “no deposit” or any expression to the like effect, except where no advance payments are to be made by the hirer; or

(d) a full hire advertisement which invites individuals (being individuals who, at the date the advertisement is published, are hirers under agreements made with the advertiser) to agree to a specified variation of these agreements, containing:—

- (i) the name of the advertiser and a postal address of his and the information within Part III of Schedule 2 as varied in relation to the hire facility if the invitation is accepted by the hirer; and
- (ii) the information, other than a name and postal address of the advertiser, specified in that Part which the advertisement does not indicate will remain unaltered if the invitation is accepted;

but not containing the expression “no deposit” or any expression to the like effect, except where no advance payments are to be made by the hirer.

(3) In the case of an advertisement relating to a debtor-creditor agreement enabling the debtor to overdraw on a current account under which the creditor is the Bank of England, an institution authorised under the Banking Act 1987⁽¹⁾, the Post Office for the purposes of a transaction entered into in the ordinary course of that part of the business of the Post Office which consists of the provision of banking services or a building society incorporated (or deemed to be incorporated) under the Building Societies Act 1986⁽²⁾, for any reference in Schedule 1 to these Regulations to the APR there may be substituted a reference to the statement of—

- (a) a rate, expressed to be a rate of interest, being a rate determined as the rate of the total charge for credit calculated on the assumption that only interest is included in the total charge for credit; and
- (b) the nature and amount of any other charge included in the total charge for credit.

(4) Paragraphs 6 and 7 of Part II, and paragraph 6 of Part III, of Schedule 1 to these Regulations do not apply to an advertisement in so far as it relates to fixed-sum credit to be provided under a debtor-creditor-supplier agreement, where the cash price of the goods, services, land or other things to be supplied under a transaction financed by the agreement does not exceed £50.

(5) The APR referred to in Schedule 1 to these Regulations shall be denoted in advertisements as “APR” or “annual percentage rate” or “annual percentage rate of the total charge for credit”.

(6) The specific information referred to in Schedules 1 and 2 to these Regulations in every credit advertisement or hire advertisement shall be clear and easily legible and, subject to the following provisions of these Regulations and except for the name and address or telephone number, shall be shown together as a whole.

(7) Any information in any book, catalogue, leaflet or other document which is likely to vary from time to time shall be taken for the purpose of paragraph (6) above to be shown together as a whole if—

- (a) it is set out together as a whole in a separate document issued with the book, catalogue, leaflet or other document; and
- (b) the other information in the credit advertisement or hire advertisement as the case may be is shown together as a whole in the book, catalogue, leaflet or other document.

Representative terms

3.—(1) Where in any advertisement relating to credit to be provided under a consumer credit agreement or relating to a consumer hire agreement as the case may be—

- (a) the advertisement refers to transactions of a particular class; and

(1) 1987 c. 22.

(2) 1986 c. 53.

- (b) any item of information mentioned in paragraph (2) below which applies in relation to one transaction of a particular class differs from an item of the like information which applies in relation to another transaction of the same class,

there may be substituted for such an item in the advertisement representative information together with an indication that the information is representative information.

(2) The items of information referred to in paragraph (1)(b) above are—

- (a) the APR in an intermediate credit advertisement or a full credit advertisement; or
- (b) the cash price and the frequency, number or amount of any payment or charge included in Parts II and III of Schedules 1 and 2 to these Regulations or of any repayment of credit in any full credit advertisement, and the total amount payable by the debtor in any full credit advertisement including its constituent parts.

(3) In this Regulation “representative information” means information shown as a typical example which the advertiser may reasonably expect at the date the information is published to be representative of transactions of the class in question, being transactions which he might then reasonably contemplate that he would enter into on or after that date.