

SCHEDULE 3

Regulation 19(1)(c), (d)

PART 1

INFORMATION AND STATEMENTS TO BE INCLUDED IN NOTICES OF SUMS IN ARREARS UNDER FIXED-SUM CREDIT AGREEMENTS ETC.

1. The date of the notice.

2.—(1) The name, telephone number or numbers, the postal address, and, where appropriate, any other address of the creditor or owner.

(2) Where the creditor and the debtor or the owner and the hirer have entered into an arrangement under which the debtor or the hirer has been given details of a particular employee or category of employee of the creditor or owner whom the debtor or hirer is entitled to contact in relation to all his dealings with the creditor or owner, the creditor or owner may, instead of including the telephone number or numbers referred to in sub-paragraph (1), refer to that arrangement.

3. Information specific to the agreement:

- (a) a description of the agreement sufficient to identify it; and
- (b) the opening balance under the agreement at the date on which the duty to give the notice arose.

4.—(1) Where default sums or interest (other than any set out in the notice) may be payable in connection with the amounts set out in the notice, a statement in the following form—

“Default sums and interest

You may have to pay default sums and interest in relation to the missed or partly made payments referred to in this notice. Please contact us if you would like further details. This notice does not take account of any payments received after the date of the notice.”

(2) In any other case, a statement in the following form—

“Default sums and interest

You will not incur any default sums or extra interest in relation to the missed or partly made payments referred to in this notice. This notice does not take account of any payments received after the date of the notice.”

5. A statement in the following form:

“Notices

For so long as you continue to be behind with your payments by any amount, you will be sent notices about this at least every six months. We are not required to send you notices more frequently than this, even if you get further behind with your payments in between notices.”

Regulation 19(2)(a)

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PART 2

INFORMATION TO BE INCLUDED IN FIRST REQUIRED NOTICES OF SUMS IN ARREARS UNDER FIXED-SUM CREDIT AGREEMENTS ETC.

6. The amount of the shortfall under the agreement which gave rise to the duty to give the notice.
Regulation 19(3)

PART 3

INFORMATION AND STATEMENT TO BE INCLUDED IN ALL NOTICES OF SUMS IN ARREARS UNDER FIXED-SUM CREDIT AGREEMENTS ETC. EXCEPT FIRST REQUIRED NOTICES

7. That part of the opening balance referred to in paragraph 3(b) of this Schedule which comprises any sum which the debtor or hirer has failed to pay in full when it became due under the agreement, whether or not such sums have been included in a previous notice.

8. The amount and date of any payment made into the account by, or to the credit of, the debtor or hirer during the period to which the notice relates.

9. The amount and date of any interest or other charges payable by the debtor or hirer which became due during the period to which the notice relates, whether or not the interest or other charges relate only to that period.

10. The amount and date of any movement in the account during the period to which the notice relates which is not required to be included in the notice under paragraphs 8.

11. The balance under the agreement at the end of the period to which the notice relates.

12. That part of the balance referred to in paragraph 11 which comprises any sum which the debtor or hirer has failed to pay in full when it became due under the agreement and which remains unpaid at the end of the period to which the notice relates, whether or not such a sum has been included in a previous notice.

13. Add the following words to the end of the first sentence of the statement in paragraph 4(1): “(in addition to any default sums and interest included in this notice).”
Regulation 24(1)(c) and (d)

PART 4

INFORMATION AND STATEMENTS TO BE INCLUDED IN NOTICES OF SUMS IN ARREARS UNDER RUNNING-ACCOUNT CREDIT AGREEMENTS

14. The date of the notice.

15. A description of the agreement sufficient to identify it.

16.—(1) The name, telephone number, postal address and, where appropriate, any other address of the creditor.

(2) Where the creditor and the debtor have entered into an arrangement under which the creditor has given the debtor details of a particular employee or category of employee of the creditor whom the debtor is entitled to contact in relation to all his dealings with the creditor, the creditor may,

instead of including the telephone number or numbers referred to in sub-paragraph (1), refer to that arrangement.

17. In relation to each of the last two payments which the debtor is required under the agreement to have made and which have not been paid or not fully paid:

- (a) the amount payable;
- (b) the date on which that amount became due;
- (c) in the event that the debtor has paid part of that amount, the amount he has paid and the date on which that payment was made; and
- (d) the nature of the amount due,

together with the aggregate of the amounts payable as shown under sub-paragraph (a) less the aggregate of the amounts paid as shown under sub-paragraph (c).

18. A statement in the following form—

“Missed and partly made payments

This notice does not give details of missed or partly made payments previously notified whether or not they remain unpaid.”.

19.—(1) Where default sums or interest (other than any set out in the notice) may be payable in connection with the amounts set out in the notice, a statement in the following form—

“Default sums and Interest

You may have to pay default sums and interest in relation to the missed or partly made payments indicated above in addition to any default sums and interest already included in this notice. Please contact us if you would like further details. This notice does not take account of any payments received after the date of the notice.”.

(2) In any other case, a statement in the following form—

“Default sums and Interest

You will not incur any default sums or extra interest in relation to the missed or partly made payments indicated above. This notice does not take account of any payments received after the date of the notice.”.

Regulation 19(1)(e) and 24(1)(e)

PART 5

STATEMENT TO BE INCLUDED IN NOTICES OF SUMS IN ARREARS UNDER FIXED-SUM CREDIT AGREEMENTS ETC. AND RUNNING-ACCOUNT CREDIT AGREEMENTS

A statement in the following form shall be contained in a notice under this Part—

“Office of Fair Trading Information Sheet

This notice should include a copy of the current information sheet on arrears prepared by the Office of Fair Trading. This contains important information about your rights and where to go for support and advice, for example on applying for a Time Order as well as our right to charge you interest. If it

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is not included you should contact us to get one. Please refer to the Office of Fair Trading information sheet for more information about how to get advice on dealing with your debt.”.