
Changes to legislation: Consumer Credit Act 1974, SCHEDULE 3 is up to date with all changes known to be in force on or before 20 April 2024. 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

SCHEDULES

SCHEDULE 3

Section 192(1).

TRANSITIONAL AND COMMENCEMENT PROVISIONS

Note. Except as otherwise mentioned in this Schedule, the provisions of this Act come into operation on its passing, that is on 31st July 1974.

PART II OF ACT

CREDIT AGREEMENTS, HIRE AGREEMENTS AND LINKED TRANSACTIONS

Regulated agreements

- 1 (1) An agreement made before [^{F1}1st April 1977] is not a regulated agreement within the meaning of this Act.
- (2) In this Act “prospective regulated agreement ” does not include a prospective agreement which, if made as expected, would be made before [^{F1}1st April 1977].

Textual Amendments

F1 Words substituted by [S.I. 1977/325](#), [art. 2 Sch. 1 para. 1](#)

Linked transactions

- 2 A transaction may be a linked transaction in relation to a regulated agreement or prospective regulated agreement even though the transaction was entered into before the day appointed for the purposes of paragraph 1.
- 3 Section 19(3) applies only to transactions entered into on or after [^{F2}19th May 1985].

Textual Amendments

F2 Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\), 3\(a\)\(i\)](#)

Total charge for credit

- 4 Section 20 applies to consumer credit agreements whenever made.

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PART III OF ACT

LICENSING OF CREDIT AND HIRE BUSINESSES

F3
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Textual Amendments

F3 Sch. 3 paras. 5-7 and cross-headings omitted (26.7.2013 for specified purposes, 1.4.2014 in so far as not already in force) by virtue of [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) \(No.2\) Order 2013](#) (S.I. 2013/1881), arts. 1(2)(6), **20(66)(a)**

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PART IV OF ACT

SEEKING BUSINESS

Advertisements

8 Part IV does not apply to any advertisement published before [^{F4}6th October 1980].

Textual Amendments

F4 Words substituted by [S.I. 1980/50, art. 3](#)

Canvassing

9 Section 49 comes into operation on [^{F5}1st October 1977].

Textual Amendments

F5 Words substituted by [S.I. 1977/802, para. 3](#)

Circulars to minors

10 Section 50 comes into operation on [^{F6}1st July 1977].

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Textual Amendments

F6 Words substituted by [S.I. 1977/802](#), [para. 3](#)

^{F7} ...

Textual Amendments

F7 Sch. 3 para. 11 and cross-heading omitted (26.7.2013 for specified purposes, 1.4.2014 in so far as not already in force) by virtue of [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) \(No.2\) Order 2013](#) (S.I. 2013/1881), arts. 1(2)(6), **20(66)(b)**

^{F711}

PART V OF ACT

ENTRY INTO CREDIT OR HIRE AGREEMENTS

Antecedent negotiations

- 12 (1) Section 56 applies to negotiations in relation to an actual or prospective regulated agreement where the negotiations begin after [^{F8}16th May 1977].
- (2) In section 56(3), “agreement”, where it first occurs, means an agreement whenever made.

Textual Amendments

F8 Words substituted by [S.I. 1977/325](#), [art. 2 Sch. 1 para. 1](#)

General

- 13 Sections 57 to 59, 61 to 65 and 67 to 73 come into operation on [^{F9}19th May 1985].

Textual Amendments

F9 Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

- 14 Section 66 comes into operation on [^{F10}19th May 1985].

Textual Amendments

F10 Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

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PART VI OF ACT

MATTERS ARISING DURING CURRENCY OF CREDIT OR HIRE AGREEMENTS

Liability of creditor for breaches by supplier

- 15 Section 75 comes into operation on [^{F11}1st July 1977 but only in relation to regulated agreements made on or after that day].

Textual Amendments

F11 Words substituted by [S.I. 1977/802, para. 3](#)

Duty to give notice

- 16 (1) Section 76 comes into operation on [^{F12}19th May 1985].
 (2) Section 76 applies to an agreement made before [^{F12}19th May 1985] where the agreement would have been a regulated agreement if made on that day.

Textual Amendments

F12 Words substituted by [S.I. 1983/1551, arts. 2\(1\), 3\(a\)\(i\)](#)

Duty to give information

- 17 (1) Sections 77 to 80 come into operation on [^{F13}19th May 1985].
 (2) Sections 77 to 79 apply to an agreement made before [^{F13}19th May 1985] where the agreement would have been a regulated agreement if made on that day.

Textual Amendments

F13 Words substituted by [S.I. 1983/1551, arts. 2\(1\), 3\(a\)\(i\)](#)

Appropriation of payments

- 18 Section 81 comes into operation on [^{F14}19th May 1985].

Textual Amendments

F14 Words substituted by [S.I. 1983/1551, arts. 2\(1\), 3\(a\)\(i\)](#)

Variation of agreements

- 19 Section 82 comes into operation on [^{F15}1st April 1977].

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Textual Amendments

F15 Words substituted by [S.I. 1977/325](#), [art. 2 Sch. 1 para. 1](#)

Misuse of credit facilities

- 20 (1) Sections 83 and 84 come into operation on [^{F16}19th May 1985].
- (2) Subject to sub-paragraph (4), section 83 applies to an agreement made before [^{F16}19th May 1985] where the agreement would have been a regulated consumer credit agreement if made on that day.
- (3) Subject to sub-paragraph (4), section 84 applies to an agreement made before [^{F16}19th May 1985] where the agreement would have been a credit-token agreement if made on that day.
- (4) Sections 83 and 84 do not apply to losses arising before [^{F16}19th May 1985].
- (5) Section 84(4) shall be taken to be satisfied in relation to an agreement made before [^{F16}19th May 1985] if, within 28 days after that day, the creditor gives notice to the debtor of the name, address and telephone number of a person stated in that notice to be the person to whom notice is to be given under section 84(3).

Textual Amendments

F16 Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

Duty on issue of new credit-tokens

- 21 (1) Section 85 comes into operation on [^{F17}19th May 1985].
- (2) Section 85 applies to an agreement made before [^{F17}19th May 1985] where the agreement would have been a regulated agreement if made on that day.

Textual Amendments

F17 Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

Death of debtor or hirer

- 22 (1) Section 86 comes into operation on [^{F18}19th May 1985].
- (2) Section 86 applies to an agreement made before [^{F18}19th May 1985] where the agreement would have been a regulated agreement if made on that day.

Textual Amendments

F18 Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

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PART VII OF ACT

DEFAULT AND TERMINATION

Default notices

23 Sections 87 to 89 come into operation on [^{F19}19th May 1985].

Textual Amendments

F19 Words substituted by [S.I. 1983/1551](#), **arts. 2(1)**, 3(a)(i)

Retaking of goods and land

24 Sections 90 and 91 come into operation on [^{F20}19th May 1985].

Textual Amendments

F20 Words substituted by [S.I. 1983/1551](#), **arts. 2(1)**, 3(a)(i)

25 Section 92 comes into operation on [^{F21}19th May 1985].

Textual Amendments

F21 Words substituted by [S.I. 1983/1551](#), **arts. 2(1)**, 3(a)(i)

Interest on default

26 Section 93 comes into operation on [^{F22}19th May 1985].

Textual Amendments

F22 Words substituted by [S.I. 1983/1551](#), **arts. 2(1)**, 3(a)(i)

Early payment by debtor

27 Sections 94 to 97 come into operation on [^{F23}19th May 1985].

Textual Amendments

F23 Words substituted by [S.I. 1983/1551](#), **arts. 2(1)**, 3(a)(i)

Termination of agreements

28 Section 98 comes into operation on [^{F24}19th May 1985].

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Textual Amendments

F24 Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

29 Section 99 comes into operation on [^{F25}19th May 1985].

.....
Textual Amendments

F25 Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

30 Section 100 comes into operation on [^{F26}19th May 1985].

.....
Textual Amendments

F26 Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

31 Section 101 comes into operation on [^{F27}19th May 1985].

.....
Textual Amendments

F27 Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

32 Section 102 comes into operation on [^{F28}19th May 1985].

.....
Textual Amendments

F28 Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

33 Section 103 comes into operation on [^{F29}19th May 1985].

.....
Textual Amendments

F29 Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

34 Section 104 comes into operation on [^{F30}19th May 1985].

.....
Textual Amendments

F30 Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

Old agreements

35 Part VII (except sections 90, 91, 93 and 99 to 102 and 104) applies to an agreement made before [^{F31}19th May 1985] where the agreement would have been a regulated agreement if made on that day.

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Textual Amendments

F31 Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

PART VIII OF ACT

SECURITY

General

36 Section 105 comes into operation on [^{F32}19th May 1985].

Textual Amendments

F32 Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

37 (1) Sections 107 to 110 come into operation on [^{F33}19th May 1985].

(2) Sections 107 to 110 apply to an agreement made before [^{F33}19th May 1985] where the agreement would have been a regulated agreement if made on that day.

Textual Amendments

F33 Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

38 (1) Section 111 comes into operation on [^{F34}19th May 1985].

(2) Section 111 applies to an agreement made before [^{F34}19th May 1985] where the agreement would have been a regulated agreement if made on that day.

Textual Amendments

F34 Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

Pledges

39 Sections 114 to 122 come into operation on [^{F35}19th May 1985 but only in respect of articles taken in pawn under a regulated consumer credit agreement].

Textual Amendments

F35 Words substituted by [S.I. 1983/1551](#), [arts. 2\(2\)](#), 3(a)(ii)

Negotiable instruments

40 Sections 123 to 125 come into operation on [^{F36}19th May 1985].

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Textual Amendments

F36 Words substituted by [S.I. 1984/436](#), [art. 3](#)

Land mortgages

41 Section 126 comes into operation on [^{F37}19th May 1985].

Textual Amendments

F37 Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

PART IX OF ACT

JUDICIAL CONTROL

42 Sections 137 to 140 (extortionate credit bargains) come into operation on [^{F38}16th May 1977], and apply to agreements and transactions whenever made.

Textual Amendments

F38 Words substituted by [S.I. 1977/325](#), [art. 2 Sch. 1 para. 1](#)

43 Subject to paragraph 42, Part IX comes into operation on [^{F39}19th May 1985].

Textual Amendments

F39 Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

PART X OF ACT

ANCILLARY CREDIT BUSINESSES

F40
...

Textual Amendments

F40 Sch. 3 para. 44 and cross-heading omitted (26.7.2013 for specified purposes, 1.4.2014 in so far as not already in force) by virtue of [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) \(No.2\) Order 2013](#) (S.I. 2013/1881), [arts. 1\(2\)\(6\)](#), [20\(66\)\(c\)](#)

44

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F41 ...

Textual Amendments

F41 Sch. 3 para. 45 and cross-heading omitted (26.7.2013 for specified purposes) by virtue of [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) \(No.2\) Order 2013 \(S.I. 2013/1881\)](#), arts. 1(2)(6), **20(66)(c)**

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F42 ...

Textual Amendments

F42 Sch. 3 para. 46 and cross-heading omitted (26.7.2013 for specified purposes, 1.4.2014 in so far as not already in force) by virtue of [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) \(No.2\) Order 2013 \(S.I. 2013/1881\)](#), arts. 1(2)(6), **20(66)(c)**

46

Advertisements

47 Subsections (1) and (2) of section 151 do not apply to any advertisement published before 6th October 1980

Credit Reference Agencies

48 Sections 157 and 158 do not apply to a request received before 16th May 1977.

PART XII OF ACT

SUPPLEMENTAL

Interpretation

- 49 (1) In the case of an agreement—
- (a) which was made before [^{F43}19th May 1985], and
 - (b) to which (by virtue of paragraph 17(2)) section 78(4) applies,
- section 185(2) shall have effect as respects a notice given before that day in relation to the agreement (whether given before or after the passing of this Act) as it would have effect if section 78(4) had been in operation when the notice was given.
- (2) Paragraph (1) applies to an agreement made on or after [^{F43}19th May 1985] to provide credit on a current account opened before that day as it applies to an agreement made before that day.

Textual Amendments

F43 Words substituted by [S.I. 1983/1551](#), **art. 3(b)**

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- 50 In section 189, the definition of “local authority ” shall have effect in relation to matters arising before 16th May 1975 as if for the words “regional, islands or district council ” there were substituted “a county council or town council ”.

Changes to legislation:

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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. 25(2A)(b)(ia) inserted by [2010 c. 28 Sch. 2 para. 36](#)