



# Consumer Credit Act 1974

## 1974 CHAPTER 39

### PART X

#### ANCILLARY CREDIT BUSINESSES

##### *Credit reference agencies*

#### **157 Duty to disclose name etc. of agency.**

[<sup>F1</sup>(A1) Where a creditor under a prospective regulated agreement, other than an excluded agreement, decides not to proceed with it on the basis of information obtained by the creditor from a credit reference agency, the creditor must, when informing the debtor of the decision—

- (a) inform the debtor that this decision has been reached on the basis of information from a credit reference agency, and
- (b) provide the debtor with the particulars of the agency including its name, address and telephone number.]

(1) [<sup>F2</sup>In any other case,] a creditor, owner or negotiator, within the prescribed period after receiving a request in writing to that effect from the debtor or hirer, shall give him notice of the name and address of any credit reference agency from which the creditor, owner or negotiator has, during the antecedent negotiations, applied for information about his financial standing.

(2) Subsection (1) does not apply to a request received more than 28 days after the termination of the antecedent negotiations, whether on the making of the regulated agreement or otherwise.

[<sup>F3</sup>(2A) A creditor is not required to disclose information under this section if such disclosure—

- (a) contravenes [<sup>F4</sup>the [<sup>F5</sup>UK GDPR]],
- (b) is prohibited by [<sup>F6</sup>[<sup>F7</sup>an assimilated] obligation],
- (c) would create or be likely to create a serious risk that any person would be subject to violence or intimidation, or

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**Changes to legislation:** Consumer Credit Act 1974, Section 157 is up to date with all changes known to be in force on or before 18 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

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- (d) would, or would be likely to, prejudice—
- (i) the prevention or detection of crime,
  - (ii) the apprehension or prosecution of offenders, or
  - (iii) the administration of justice.]

(3) If the creditor, owner or negotiator fails to comply with subsection [F8(A1) or] (1) he commits an offence.

[F9(4) For the purposes of subsection (A1) an agreement is an excluded agreement if it is—

- (a) a consumer hire agreement, or
- (b) an agreement secured on land.]

#### Textual Amendments

- F1** S. 157(A1) inserted (1.2.2011) by [The Consumer Credit \(EU Directive\) Regulations 2010](#) (S.I. 2010/1010), **regs. 40(2), 99(1)** (with regs. 100, 101)
- F2** Words in s. 157(1) inserted (1.2.2011) by [The Consumer Credit \(EU Directive\) Regulations 2010](#) (S.I. 2010/1010), **regs. 40(3), 99(1)** (with regs. 100, 101)
- F3** S. 157(2A) inserted (1.2.2011) by [The Consumer Credit \(EU Directive\) Regulations 2010](#) (S.I. 2010/1010), **regs. 40(4), 99(1)** (with regs. 100, 101)
- F4** Words in s. 157(2A)(a) substituted (25.5.2018) by [Data Protection Act 2018](#) (c. 12), s. 212(1), **Sch. 19 para. 8(a)** (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)
- F5** Words in s. 157(2A)(a) substituted (31.12.2020) by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/419), reg. 1(2), **Sch. 3 para. 4** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in s. 157(2A)(b) substituted (31.1.2020) by virtue of [The Consumer Credit \(Amendment\) \(EU Exit\) Regulations 2018](#) (S.I. 2018/1038), regs. 1(2), **2(3)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in s. 157(2A)(b) substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023](#) (S.I. 2023/1424), reg. 1(2), **Sch. para. 9(2)(b)**
- F8** Words in s. 157(3) inserted (1.2.2011) by [The Consumer Credit \(EU Directive\) Regulations 2010](#) (S.I. 2010/1010), **regs. 40(5), 99(1)** (with regs. 100, 101)
- F9** S. 157(4) inserted (1.2.2011) by [The Consumer Credit \(EU Directive\) Regulations 2010](#) (S.I. 2010/1010), **regs. 40(6), 99(1)** (with regs. 100, 101)

#### Modifications etc. (not altering text)

- C1** Ss. 157-160 applied (1.1.2016) by [The Small and Medium Sized Business \(Credit Information\) Regulations 2015](#) (S.I. 2015/1945), regs. 1(2), **15(2)**

**Changes to legislation:**

Consumer Credit Act 1974, Section 157 is up to date with all changes known to be in force on or before 18 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.

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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](#)