



Consumer Credit Act 1974

1974 CHAPTER 39

PART IV

SEEKING BUSINESS

Canvassing etc.

49 Prohibition of canvassing debtor-creditor agreements off trade premises.

- (1) It is an offence to canvass debtor-creditor agreements off trade premises.
- (2) It is also an offence to solicit the entry of an individual (as debtor) into a debtor-creditor agreement during a visit carried out in response to a request made on a previous occasion, where—
 - (a) the request was not in writing signed by or on behalf of the person making it, and
 - (b) if no request for the visit had been made, the soliciting would have constituted the canvassing of a debtor-creditor agreement off trade premises.
- (3) Subsections (1) and (2) do not apply to any soliciting for an agreement enabling the debtor to overdraw on a current account of any description kept with the creditor, where—
 - (a) the [FCA] has determined that current accounts of that description kept with the creditor are excluded from subsections (1) and (2), and
 - (b) the debtor already keeps an account with the creditor (whether a current account or not).
- (4) A determination under subsection (3)(a)—
 - (a) may be made subject to such conditions as the [FCA] thinks fit, and
 - (b) shall be made only where the [FCA] is of opinion that it is not against the interests of debtors.
- (5) If soliciting is done in breach of a condition imposed under subsection (4)(a), the determination under subsection (3)(a) does not apply to it.

Changes to legislation: Consumer Credit Act 1974, Section 49 is up to date with all changes known to be in force on or before 27 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](#)

Textual Amendments

- F1** Word in s. 49 substituted (26.7.2013 for specified purposes, 1.4.2014 in so far as not already in force) by [The Financial Services Act 2012 \(Consumer Credit\) Order 2013 \(S.I. 2013/1882\)](#), arts. 1(1), **7(2)**

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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](#)