



Consumer Credit Act 1974

1974 CHAPTER 39

PART VI

MATTERS ARISING DURING CURRENCY OF CREDIT OR HIRE AGREEMENTS

75 Liability of creditor for breaches by supplier.

- (1) If the debtor under a debtor-creditor-supplier agreement falling within section 12(b) or (c) has, in relation to a transaction financed by the agreement, any claim against the supplier in respect of a misrepresentation or breach of contract, he shall have a like claim against the creditor, who, with the supplier, shall accordingly be jointly and severally liable to the debtor.
- (2) Subject to any agreement between them, the creditor shall be entitled to be indemnified by the supplier for loss suffered by the creditor in satisfying his liability under subsection (1), including costs reasonably incurred by him in defending proceedings instituted by the debtor.
- (3) Subsection (1) does not apply to a claim—
 - (a) under a non-commercial agreement,^{F1} . . .
 - (b) so far as the claim relates to any single item to which the supplier has attached a cash price not exceeding [^{F2}£100] or more than [^{F3}£30,000][^{F4}, or]
 - [^{F5}(c) under a debtor-creditor-supplier agreement for running-account credit—
 - (i) which provides for the making of payments by the debtor in relation to specified periods which, in the case of an agreement which is not secured on land, do not exceed three months, and
 - (ii) which requires that the number of payments to be made by the debtor in repayments of the whole amount of the credit provided in each such period shall not exceed one.]
- (4) This section applies notwithstanding that the debtor, in entering into the transaction, exceeded the credit limit or otherwise contravened any term of the agreement.
- (5) In an action brought against the creditor under subsection (1) he shall be entitled, in accordance with rules of court, to have the supplier made a party to the proceedings.

Changes to legislation: Consumer Credit Act 1974, Section 75 is up to date with all changes known to be in force on or before 12 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. 75(3)(a) omitted (1.2.2011) by virtue of [The Consumer Credit \(EU Directive\) Regulations 2010 \(S.I. 2010/1010\)](#), **regs. 24(a)**, 99(1) (with regs. 100, 101)
- F2** "£100 " substituted by S.I. 1983/1878, art. 3, **Sch. Pt. I**
- F3** "£30,000" substituted by S.I. 1983/1878, arts. 3, 4, **Sch. Pt. II**
- F4** Word in s. 75(3)(b) inserted (1.2.2011) by [The Consumer Credit \(EU Directive\) Regulations 2010 \(S.I. 2010/1010\)](#), **regs. 24(b)**, 99(1) (with regs. 100, 101)
- F5** S. 75(3)(c) inserted (1.2.2011) by [The Consumer Credit \(EU Directive\) Regulations 2010 \(S.I. 2010/1010\)](#), **regs. 24(c)**, 99(1) (with regs. 100, 101)

Modifications etc. (not altering text)

- C1** S. 75 applied (with modifications) by 1967 c. 7, s. 2(5) (as inserted (with application in accordance with reg. 1(3) of the amending S.I.) by [The Consumer Protection \(Amendment\) Regulations 2014 \(S.I. 2014/870\)](#), **regs. 1(3), 5**)
- C2** S. 75 applied (with modifications) by 1967 c. 14 (N.I.) s. 2(5) (as inserted (with application in accordance with reg. 1(3) of the amending S.I.) by [The Consumer Protection \(Amendment\) Regulations 2014 \(S.I. 2014/870\)](#), **regs. 1(3), 6**)
- C3** S. 75 applied (with modifications) by 1985 c. 73, s. 10(4) (as inserted (with application in accordance with reg. 1(3) of the amending S.I.) by [The Consumer Protection \(Amendment\) Regulations 2014 \(S.I. 2014/870\)](#), **regs. 1(3), 8**)
- C4** S. 75 modified (29.11.2018 for specified purposes, 1.4.2019 in so far as not already in force) by [The Financial Services and Markets Act 2000 \(Claims Management Activity\) Order 2018 \(S.I. 2018/1253\)](#), arts. 1(2)(3), **84(4)(5)**

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](#)