
*Changes to legislation: There are currently no known outstanding effects
for the Enterprise Act 2002, Paragraph 6. (See end of Document for details)*

SCHEDULES

SCHEDULE 25

MINOR AND CONSEQUENTIAL AMENDMENTS

Consumer Credit Act 1974 (c. 39)

- 6 (1) The Consumer Credit Act 1974 is amended as follows.
- (2) In section 1 (general functions of Director)—
- (a) in subsection (1)—
 - (i) for “the Director General of Fair Trading (“the Director”)” there is substituted “ the Office of Fair Trading (“the OFT”) ”;
 - (ii) for “him” there is substituted “ it ”;
 - (iii) for “himself” there is substituted “ itself ”;
 - (b) in subsection (2)—
 - (i) for “Director” there is substituted “ OFT ”;
 - (ii) for “him” there is substituted “ it ”;
 - (c) in the sidenote, for “Director” there is substituted “ OFT ”;
- and in the heading before that section, for “DIRECTOR GENERAL OF FAIR TRADING” there is substituted “ OFFICE OF FAIR TRADING ”.
- (3) In section 2 (powers of Secretary of State)—
- (a) for “Director” (in each place) there is substituted “ OFT ”;
 - (b) in subsections (1)(b) and (2), for “his” there is substituted “ its ”;
 - (c) in subsection (4), for “him” there is substituted “ it ”.
- (4) In section 4 (dissemination of information and advice)—
- (a) for “Director” there is substituted “ OFT ”;
 - (b) for “he”, “him” and “his” there is substituted “ it ”, “ it ” and “ its ” respectively.
- (5) In section 6 (form etc. of applications)—
- (a) for “Director” (in each place) there is substituted “ OFT ”;
 - (b) in subsection (3), for “him” there is substituted “ it ”.
- (6) In section 7 (penalty for false information), for “Director” (in each place) there is substituted “ OFT ”.
- (7) In section 22 (standard and group licences)—
- (a) for “Director” (in each place) there is substituted “ OFT ”;
 - (b) in subsection (1)(b), for “his” and “he” there is substituted “ its ” and “ it ” respectively;
 - (c) in subsection (5), for “him” there is substituted “ it ”.
- (8) In section 25 (licensee to be a fit person)—

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- (a) for “Director” (in each place) there is substituted “ OFT ”;
 - (b) in subsection (2), for “him” there is substituted “ it ”.
- (9) In section 27 (determination of applications)—
- (a) for “Director” (in each place) there is substituted “ OFT ”;
 - (b) in subsection (1)—
 - (i) for “he” (in both places) there is substituted “ it ”;
 - (ii) in paragraph (a), for “his” there is substituted “ its ”;
 - (c) in subsection (2), for “him” (in both places) there is substituted “ it ”.
- (10) In section 28 (exclusion from a group licence)—
- (a) for “Director” (in both places) there is substituted “ OFT ”;
 - (b) for “he” there is substituted “ it ”;
 - (c) in paragraph (a), for “his” there is substituted “ its ”.
- (11) In section 29 (renewal)—
- (a) for “Director” (in each place) there is substituted “ OFT ”;
 - (b) in subsection (2), for “his” there is substituted “ its ”.
- (12) In section 30 (variation by request)—
- (a) for “Director” and “he” (in each place) there is substituted “ OFT ” and “ it ” respectively;
 - (b) in subsection (4)(a), for “his” there is substituted “ its ”.
- (13) In section 31 (compulsory variation)—
- (a) for “Director” (in each place) there is substituted “ OFT ”;
 - (b) in subsection (1), for “he” (in both places) there is substituted “ it ”;
 - (c) in subsection (2)(a), for “his” there is substituted “ its ”;
 - (d) in subsection (3), for “he”, “his” and “him” there is substituted respectively “ it ”, “ its ” and “ it ” respectively;
 - (e) in subsection (4)(a), for “his” there is substituted “ its ”.
- (14) In section 32 (suspension and revocation)—
- (a) for “Director” (in each place) there is substituted “ OFT ”;
 - (b) in subsection (1), for “he” (in both places) there is substituted “ it ”;
 - (c) in subsection (2)(a), for “his” there is substituted “ its ”;
 - (d) in subsection (3), for “he”, “his” and “him” there is substituted “ it ”, “ its ” and “ it ” respectively;
 - (e) in subsection (4)(a), for “his” there is substituted “ its ”;
 - (f) in subsection (5), for “he” there is substituted “ it ”;
 - (g) in subsection (8), for “him” there is substituted “ it ”.
- (15) In section 33 (application to end suspension)—
- (a) for “Director” and “he” (in each place) there is substituted “ OFT ” and “ it ” respectively;
 - (b) in subsection (2)(a), for “his” there is substituted “ its ”.
- (16) In section 34 (representations to Director)—
- (a) for “Director” (in each place) there is substituted “ OFT ”;
 - (b) in subsections (2) and (3), for “his” there is substituted “ its ”.

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- (17) In section 35 (the register)—
 - (a) for “Director” (in each place) there is substituted “ OFT ”;
 - (b) in subsections (1) and (4), for “he” there is substituted “ it ”;
 - (c) in subsection (1)(c), for “him” there is substituted “ it ”.
- (18) In section 36 (duty to notify changes)—
 - (a) for “Director” (in each place) there is substituted “ OFT ”;
 - (b) ^{F1}
- (19) In section 39 (offences against Part 3), for “Director” there is substituted “ OFT ”.
- (20) In section 40 (enforcement of agreements made by unlicensed trader)—
 - (a) for “Director” (in each place) there is substituted “ OFT ”;
 - (b) in subsection (3)—
 - (i) for “he” (in both places) there is substituted “ it ”;
 - (ii) in paragraph (a), for “his” there is substituted “ its ”;
 - (c) in subsection (5), for “he” there is substituted “ it ”.
- (21) In section 41 (appeals to Secretary of State under Part 3), in subsection (1), for “Director” there is substituted “ OFT ”.
- (22) In section 49 (prohibition of canvassing debtor-creditor agreements off trade premises), for “Director” (in each place) there is substituted “ OFT ”.
- (23) In section 60 (form and content of agreements), in subsections (3) and (4), for “Director” (in each place) and “he” (in each place) there is substituted “ OFT ” and “ it ” respectively.
- (24) In section 64 (duty to give notice of cancellation rights), for “Director” (in each place) there is substituted “ OFT ”.
- (25) In section 74 (exclusion of certain agreements from Part 5)—
 - (a) for “Director” (in each place) there is substituted “ OFT ”;
 - (b) in subsection (3A), for “he” there is substituted “ it ”.
- (26) In section 101 (right to terminate hire agreement), in subsection (8), for “Director” (in each place) and “he” there is substituted “ OFT ” and “ it ” respectively.
- (27) In section 113 (Act not to be evaded by use of security), in subsection (2), for “Director” there is substituted “ OFT ”.
- (28) In section 148 (agreement for services of unlicensed trader)—
 - (a) for “Director” (in each place) there is substituted “ OFT ”;
 - (b) in subsection (3)—
 - (i) for “he” (in both places) there is substituted “ it ”;
 - (ii) in paragraph (a), for “his” there is substituted “ its ”;
 - (c) in subsection (5), for “he” there is substituted “ it ”.
- (29) In section 149 (regulated agreements made on introductions by unlicensed credit-broker)—
 - (a) for “Director” (in each place) there is substituted “ OFT ”;
 - (b) in subsection (3)—
 - (i) for “he” (in both places) there is substituted “ it ”;

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- (ii) in paragraph (a), for “his” there is substituted “ its ”;
 - (c) in subsection (5), for “he” there is substituted “ it ”.
- (30) In section 159 (correction of wrong information), for “Director” there is substituted “ OFT ”.
- (31) In section 160 (alternative procedure for business consumers)—
 - (a) for “Director” (in each place) there is substituted “ OFT ”;
 - (b) in subsection (1), for “he” there is substituted “ it ”.
- (32) In section 161 (enforcement authorities)—
 - (a) for “Director” (in each place) there is substituted “ OFT ”;
 - (b) subsection (2) (requirement to notify Director of intended prosecution) is omitted;
 - (c) in subsection (3), for “he” and “him” there is substituted “ it ”.
- (33) In section 162 (powers of entry and inspection), in subsection (5), for “Director” there is substituted “ OFT ”.
- (34) In section 166 (notification of convictions and judgments to Director), for “Director” (in each place), “Director’s” and “his” there is substituted “ OFT ”, “ OFT’s ” and “ its ” respectively.
- (35) In section 170 (no further sanctions for breach of Act), for “his”, “Director” and “him” there is substituted “ its ”, “ OFT ” and “ it ” respectively.
- (36) In section 173 (contracting-out forbidden), in subsection (3), for “Director” there is substituted “ OFT ”.
- (37) In section 183 (determinations etc. by Director), for “Director” (in both places) and “him” there is substituted “ OFT ” and “ it ” respectively.
- (38) In section 189 (general interpretation provisions)—
 - (a) in subsection (1)—
 - (i) the definition of “Director” shall cease to have effect;
 - (ii) in the definition of “general notice”, for “Director” and “him” there is substituted “ OFT ” and “ it ” respectively;
 - (iii) after the definition of “notice of cancellation” there is inserted—
 - ““OFT” means the Office of Fair Trading;”;
 - (iv) in the definition of “register”, for “Director” there is substituted “ OFT ”;
 - (b) in subsection (5), for “Director” (in both places) there is substituted “ OFT ”.
- (39) In section 191 (special provisions as to Northern Ireland)—
 - (a) for “Director” (in both places) there is substituted “ OFT ”;
 - (b) in subsection (1), for “his” and “him” there is substituted “ the OFT’s ” and “ the OFT ” respectively.
- (40) In Schedule 1 (prosecution and punishment of offences), in the entry relating to section 7, for “Director” there is substituted “ OFT ”.

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Textual Amendments

- F1** Sch. 25 para. 6(18)(b) repealed (6.4.2008) by Consumer Credit Act 2006 (c. 14), ss. 70, 71, **Sch. 4** (with Sch. 3 para. 27(3)); S.I. 2007/3300, **art. 3(2)**, Sch. 2

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