

## 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)—
- (a) for “Director” (in each place) there is substituted “OFT”;

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- (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”.
- (17) In section 35 (the register)—

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- (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) in subsection (6), for “him” there is substituted “it”.
- (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”;
    - (ii) in paragraph (a), for “his” there is substituted “its”;

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- (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”.