



# Consumer Credit Act 2006

## 2006 CHAPTER 14

### *Unfair relationships*

#### **19 Unfair relationships between creditors and debtors**

After section 140 of the 1974 Act insert—

#### *“Unfair relationships*

##### **140A Unfair relationships between creditors and debtors**

- (1) The court may make an order under section 140B in connection with a credit agreement if it determines that the relationship between the creditor and the debtor arising out of the agreement (or the agreement taken with any related agreement) is unfair to the debtor because of one or more of the following—
  - (a) any of the terms of the agreement or of any related agreement;
  - (b) the way in which the creditor has exercised or enforced any of his rights under the agreement or any related agreement;
  - (c) any other thing done (or not done) by, or on behalf of, the creditor (either before or after the making of the agreement or any related agreement).
- (2) In deciding whether to make a determination under this section the court shall have regard to all matters it thinks relevant (including matters relating to the creditor and matters relating to the debtor).
- (3) For the purposes of this section the court shall (except to the extent that it is not appropriate to do so) treat anything done (or not done) by, or on behalf of, or in relation to, an associate or a former associate of the creditor as if done (or not done) by, or on behalf of, or in relation to, the creditor.
- (4) A determination may be made under this section in relation to a relationship notwithstanding that the relationship may have ended.

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*Changes to legislation: There are currently no known outstanding effects for the Consumer Credit Act 2006, Section 19. (See end of Document for details)*

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(5) An order under section 140B shall not be made in connection with a credit agreement which is an exempt agreement by virtue of section 16(6C).”

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**Commencement Information**

**II** [S. 19](#) in force at 6.4.2007 by [S.I. 2007/123](#), art. 3(2), [Sch. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Consumer Credit Act 2006, Section 19.