



# Consumer Credit Act 2006

## 2006 CHAPTER 14

### *Powers and duties in relation to information*

#### **51 Consequential amendments relating to information**

<sup>F1</sup>(1) .....

<sup>F2</sup>(2) .....

<sup>F3</sup>(3) .....

<sup>F4</sup>(4) .....

(5) In Part 12 of that Act before section 175 insert—

#### **“174A Powers to require provision of information or documents etc.**

(1) Every power conferred on a relevant authority by or under this Act (however expressed) to require the provision or production of information or documents includes the power—

- (a) to require information to be provided or produced in such form as the authority may specify, including, in relation to information recorded otherwise than in a legible form, in a legible form;
- (b) to take copies of, or extracts from, any documents provided or produced by virtue of the exercise of the power;
- (c) to require the person who is required to provide or produce any information or document by virtue of the exercise of the power—
  - (i) to state, to the best of his knowledge and belief, where the information or document is;
  - (ii) to give an explanation of the information or document;
  - (iii) to secure that any information provided or produced, whether in a document or otherwise, is verified in such manner as may be specified by the authority;
  - (iv) to secure that any document provided or produced is authenticated in such manner as may be so specified;

*Changes to legislation: There are currently no known outstanding effects for the Consumer Credit Act 2006, Section 51. (See end of Document for details)*

- (d) to specify a time at or by which a requirement imposed by virtue of paragraph (c) must be complied with.
- (2) Every power conferred on a relevant authority by or under this Act (however expressed) to inspect or to seize documents at any premises includes the power to take copies of, or extracts from, any documents inspected or seized by virtue of the exercise of the power.
- (3) But a relevant authority has no power under this Act—
- (a) to require another person to provide or to produce,
  - (b) to seize from another person, or
  - (c) to require another person to give access to premises for the purposes of the inspection of,
- any information or document which the other person would be entitled to refuse to provide or produce in proceedings in the High Court on the grounds of legal professional privilege or (in Scotland) in proceedings in the Court of Session on the grounds of confidentiality of communications.
- (4) In subsection (3) ‘communications’ means—
- (a) communications between a professional legal adviser and his client;
  - (b) communications made in connection with or in contemplation of legal proceedings and for the purposes of those proceedings.
- (5) In this section ‘relevant authority’ means—
- (a) the OFT or an enforcement authority (other than the OFT);
  - (b) an officer of the OFT or of an enforcement authority (other than the OFT).”
- (6) In section 189(1) of that Act (definitions) after the definition of “deposit” insert—
- “‘documents’ includes information recorded in any form;”.

<sup>F5</sup>(7) .....

#### Textual Amendments

- F1** S. 51(1) omitted (26.7.2013 for specified purposes, 1.4.2014 in so far as not already in force) by virtue of [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) \(No.2\) Order 2013 \(S.I. 2013/1881\)](#), art. 1(2)(6), [Sch. para. 10\(a\)](#)
- F2** S. 51(2) repealed (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 85\(g\)](#); [S.I. 2015/1630](#), art. 3(i) (with art. 8)
- F3** S. 51(3) omitted (26.7.2013 for specified purposes, 1.4.2014 in so far as not already in force) by virtue of [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) \(No.2\) Order 2013 \(S.I. 2013/1881\)](#), art. 1(2)(6), [Sch. para. 10\(a\)](#)
- F4** S. 51(4) omitted (26.7.2013 for specified purposes, 1.4.2014 in so far as not already in force) by virtue of [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) \(No.2\) Order 2013 \(S.I. 2013/1881\)](#), art. 1(2)(6), [Sch. para. 10\(a\)](#)
- F5** S. 51(7) omitted (26.7.2013 for specified purposes, 1.4.2014 in so far as not already in force) by virtue of [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) \(No.2\) Order 2013 \(S.I. 2013/1881\)](#), art. 1(2)(6), [Sch. para. 10\(a\)](#)

#### Commencement Information

- I1** S. 51 in force at 6.4.2008 by [S.I. 2007/3300](#), art. 3(2), [Sch. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Consumer Credit Act 2006, Section 51.