

2007 No. 3300 (C. 136)

CONSUMER CREDIT

**The Consumer Credit Act 2006 (Commencement No. 3) Order
2007**

Made - - - - *22nd November 2007*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 69(2) and (3) and 71(2) of the Consumer Credit Act 2006(a).

Citation

1. This Order may be cited as the Consumer Credit Act 2006 (Commencement No.3) Order 2007.

Interpretation

2. In this Order “the 2006 Act” means the Consumer Credit Act 2006.

Commencement

3.—(1) The provisions of the 2006 Act specified in Schedule 1 shall come into force on 1st December 2007.

(2) The provisions of the 2006 Act specified in Schedule 2 shall come into force on 6th April 2008.

(3) The provisions of the 2006 Act specified in Schedule 3 shall come into force on 1st October 2008.

22nd November 2007
Parliamentary Under Secretary of State for Trade and Consumer Affairs
Department for Business, Enterprise & Regulatory Reform
Gareth Thomas

(a) 2006 c.14.

SCHEDULE 1

Article 3(1)

PROVISIONS COMING INTO FORCE ON 1ST DECEMBER 2007

<i>Provisions</i>	<i>Subject Matter of Provisions</i>
Section 30	Guidance on fitness test
Section 33(4)	Consequential amendments relating to ss. 27 to 32
Section 42	Guidance on requirements
Section 44(1)	Provision of information etc. by applicants
Section 44(3) insofar as it inserts section 6(6) into the 1974 Act for the purpose of specifying the period referred to in that section	Provision of information etc. by applicants
Section 45 insofar as it inserts section 36A(6) and (7) into the 1974 Act	Duties to notify changes in information etc.
Section 54	Statement of policy in relation to civil penalties
Section 55(1) insofar as it inserts section 40A(3) into the 1974 Act	The Consumer Credit Appeals Tribunal
Section 55(1) insofar as it inserts section 40A(4) into the 1974 Act insofar as it relates to paragraphs 9(2) and 10 of Schedule A1	The Consumer Credit Appeals Tribunal
Section 55(1) insofar as it inserts section 40A(5) into the 1974 Act	The Consumer Credit Appeals Tribunal
Section 55(2) insofar as it inserts paragraphs 9(2) and 10 of Schedule A1 into the 1974 Act	The Consumer Credit Appeals Tribunal
Section 56(2) insofar as it inserts section 41(1D) into the 1974 Act	Appeals to the Consumer Credit Appeals Tribunal
Section 57 insofar as it inserts section 41A(6) into the 1974 Act	Appeals from the Consumer Credit Appeals Tribunal
Section 58(2) and (3)	Consequential amendments relating to appeals
Section 69(1) insofar as it relates to paragraphs 19 and 22 to 25 of Schedule 3	Transitional provision and savings
Schedule 1 insofar as it inserts paragraphs 9(2) and 10 of Schedule A1 into the 1974 Act	Schedule A1 to the 1974 Act
Schedule 3, paragraphs 19 and 22 to 25	Transitional provision and savings

SCHEDULE 2

Article 3(2)

PROVISIONS COMING INTO FORCE ON 6TH APRIL 2008

<i>Provisions</i>	<i>Subject Matter of Provisions</i>
Section 3 for remaining purposes	Exemption relating to high net worth debtors and hirers
Section 4 for remaining purposes	Exemption relating to businesses
Section 5(1) to (4), (7) and (10)	Consequential amendments relating to ss. 1 to 4
Section 23	Definitions of consumer credit business and consumer hire business
Section 26	Enforcement of agreements by unlicensed trader etc.
Section 27(1) for remaining purposes Section 27(2) to (4)	Charge on applicants for licences etc.
Section 28 for remaining purposes	Applications for standard licences
Section 29	Issue of standard licences
Section 31	Variation of standard licences etc.
Section 32	Winding-up of standard licensee's business
Section 33(1) to (3) and (5) to (12)	Consequential amendments relating to ss. 27 to 32
Section 34(1) Section 34(2) for remaining purposes Section 34(3) to (7) Section 34(8) for remaining purposes Section 34(9)	Definite and indefinite licences
Section 35 for remaining purposes	Charges for indefinite licences
Section 36 for remaining purposes	Extension of period to pay charge for indefinite licence
Section 37	Failure to pay charge for indefinite licence
Section 38	Power of OFT to impose requirements on licensees
Section 39	Power of OFT to impose requirements on supervisory bodies
Section 40	Supplementary provision relating to requirements
Section 41	Procedure in relation to requirements
Section 43	Consequential amendments relating to requirements
Section 44(2) Section 44(3) for remaining purposes	Provision of information etc. by applicants
Section 45 for remaining purposes	Duties to notify changes in information etc.
Section 46	Power of OFT to require information generally
Section 47	Power of OFT to require access to premises
Section 48	Entry to premises under warrant
Section 49	Failure to comply with information requirement
Section 50	Officers of enforcement authorities other than OFT
Section 51	Consequential amendments relating to information

Section 52	Power of OFT to impose civil penalties
Section 53	Further provision relating to civil penalties
Section 55(1) insofar as it inserts section 40A(1) and (2) into the 1974 Act	The Consumer Credit Appeals Tribunal
Section 55(1) insofar as it inserts section 40A(4) into the 1974 Act insofar as it relates to paragraphs 1 to 9(1) and 12 to 16 of Schedule A1	The Consumer Credit Appeals Tribunal
Section 55(2) insofar as it inserts paragraphs 1 to 9(1) and 12 to 16 of Schedule A1 into the 1974 Act	The Consumer Credit Appeals Tribunal
Section 56(1)	Appeals to the Consumer Credit Appeals Tribunal
Section 56(2) for remaining purposes	Appeals to the Consumer Credit Appeals Tribunal
Section 56(3)	Appeals to the Consumer Credit Appeals Tribunal
Section 57 for remaining purposes	Appeals from the Consumer Credit Appeals Tribunal
Section 58(1) and (4)	Consequential amendments relating to appeals
Section 62	Monitoring of businesses by OFT
Section 64	Determinations etc. by OFT
Section 69(1) insofar as it relates to paragraphs 18, 20, 21 and 26 to 28 of Schedule 3	Transitional provision and savings
Section 70 insofar as it relates to provisions in Schedule 4 brought into force on 6th April 2008 by this Order	Repeals
Schedule 1 insofar as it inserts paragraphs 1 to 9(1) and 12 to 16 of Schedule A1 into the 1974 Act	Schedule A1 to the 1974 Act
Schedule 3, paragraphs 18, 20, 21 and 26 to 28	Transitional provision and savings
Schedule 4 for the purposes of the entries relating to sections 2(7), 6(2), 15, 22(9) and (10), 23(2), 25(1A), 29(5), 32(5), 36(6), 40(6), 41, 43, 147, 150 and 162 of the 1974 Act, section 181(1) and (2) of the 1974 Act in respect of the word “43(3)(a),” and section 189(1) of the 1974 Act in respect of the definition of “costs” and the words from “(including” onwards in the definition of “licence”, the Tribunals and Inquiries Act 1992 (c.53) and the Enterprise Act 2002 (c.40)	Repeals

SCHEDULE 3

Article 3(3)

PROVISIONS COMING INTO FORCE ON 1ST OCTOBER 2008

<i>Provisions</i>	<i>Subject matter of provisions</i>
Section 6 for remaining purposes	Statements to be provided in relation to fixed-sum credit agreements
Section 7(3)	Further provision relating to statements

Section 9 for remaining purposes	Notice of sums in arrears under fixed-sum credit agreements etc.
Section 10 for remaining purposes	Notice of sums in arrears under running-account credit agreements
Section 11	Failure to give notice of sums in arrears
Section 12 for remaining purposes	Notice of default sums
Section 13	Interest on default sums
Section 14(3)	Default notices
Section 16	Time orders
Section 17 for remaining purposes	Interest payable on judgment debts etc.
Section 24(1), (3) and (5)	Debt administration etc.
Section 25(1), (3) and (4)	Credit information services
Section 69(1) insofar as it relates to paragraphs 2 to 4, 6 to 9, 12 and 13 of Schedule 3	Transitional provision and savings
Schedule 3, paragraphs 2 to 4, 6 to 9, 12 and 13 of Schedule 3	Transitional provision and savings

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force further provisions of the Consumer Credit Act 2006, which amend the Consumer Credit Act 1974.

The provisions in Schedule 1 come into force on 1st December 2007, the provisions in Schedule 2 come into force on 6th April 2008 and the provisions in Schedule 3 come into force on 1st October 2008.

The remaining provisions of the Consumer Credit Act 2006 will be brought into force by a subsequent Order.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Consumer Credit Act 2006 have been brought into force by commencement orders made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
s.1	06.04.2007	2007/123
s.3 (partially)	16.06.2006	2006/1508
s.4 (partially)	16.06.2006	2006/1508
s.5 (5), (6), (8) and (9)	06.04.2007	2007/387
s.6 (partially)	16.06.2006	2006/1508
s.7(1) and (2)	16.06.2006	2006/1508
s.8	31.01.2007	2007/123
s.9 (partially)	16.06.2006	2006/1508
s.10 (partially)	16.06.2006	2006/1508
s.12 (partially)	16.06.2006	2006/1508
s.14(1)	01.10.2006	2006/1508
s.14(2)	16.06.2006	2006/1508
s.15	06.04.2007	2007/123
s.17 (partially)	16.06.2006	2006/1508
s.18	16.06.2006	2006/1508

s.19	06.04.2007	2007/123
s.20	06.04.2007	2007/123
s.21	06.04.2007	2007/123
s.22	06.04.2007	2007/123
s.24(2), (4) and (6)	16.06.2006	2006/1508
s.25(2) and (5)	16.06.2006	2006/1508
s.27(1) (partially)	16.06.2006	2006/1508
s.28 (partially)	16.06.2006	2006/1508
s.34(2) (partially)	16.06.2006	2006/1508
s.34(8) (partially)	16.06.2006	2006/1508
s.35 (partially)	16.06.2006	2006/1508
s.36 (partially)	16.06.2006	2006/1508
s.59, Sch.2	16.06.2006	2006/1508
s.60	16.06.2006	2006/1508
s.61	16.06.2006	2006/1508
s.63	16.06.2006	2006/1508
ss 65 to 68	16.06.2006	2006/1508
s.69(1) (partially), Sch. 3, para 1(1)	16.06.2006	2006/1508
s.69(1) (partially), Sch. 3, para 1(2)	06.04.2007	2007/387
s.69(1) (partially), Sch. 3, para 5	31.01.2007	2007/123
s.69(1) (partially), Sch. 3, para 10	01.10.2006	2006/1508
s.69(1) (partially), Sch. 3, paras 11 and 14 to 16	06.04.2007	2007/123
s.69(1) partially, Sch.3, para 29	06.04.2007	2007/387
s.69(2)-(5)	16.06.2006	2006/1508
s.70 (partially)	06.04.2007	2007/387
Sch. 4 (partially)	06.04.2007	2007/123
Sch. 4 (partially)	06.04.2007	2007/387

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