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## SCHEDULES

### SCHEDULE 3

Section 192(1).

#### TRANSITIONAL AND COMMENCEMENT PROVISIONS

*Note.* Except as otherwise mentioned in this Schedule, the provisions of this Act come into operation on its passing, that is on 31st July 1974.

#### PART II OF ACT

##### CREDIT AGREEMENTS, HIRE AGREEMENTS AND LINKED TRANSACTIONS

##### *Regulated agreements*

- 1 (1) An agreement made before [<sup>F1</sup>1st April 1977] is not a regulated agreement within the meaning of this Act.
- (2) In this Act “prospective regulated agreement ” does not include a prospective agreement which, if made as expected, would be made before [<sup>F1</sup>1st April 1977].

##### Textual Amendments

**F1** Words substituted by [S.I. 1977/325](#), [art. 2 Sch. 1 para. 1](#)

##### *Linked transactions*

- 2 A transaction may be a linked transaction in relation to a regulated agreement or prospective regulated agreement even though the transaction was entered into before the day appointed for the purposes of paragraph 1.
- 3 Section 19(3) applies only to transactions entered into on or after [<sup>F2</sup>19th May 1985].

##### Textual Amendments

**F2** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\), 3\(a\)\(i\)](#)

##### *Total charge for credit*

- 4 Section 20 applies to consumer credit agreements whenever made.

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## PART III OF ACT

### LICENSING OF CREDIT AND HIRE BUSINESSES

*F3*  
...

#### Textual Amendments

**F3** Sch. 3 paras. 5-7 and cross-headings 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 \(S.I. 2013/1881\)](#), arts. 1(2)(6), **20(66)(a)**

**F3**<sup>5</sup> .....

*F3*  
...

**F3**<sup>6</sup> .....

*F3*  
...

**F3**<sup>7</sup> .....

## PART IV OF ACT

### SEEKING BUSINESS

#### *Advertisements*

8 Part IV does not apply to any advertisement published before [<sup>F4</sup>6th October 1980].

#### Textual Amendments

**F4** Words substituted by [S.I. 1980/50, art. 3](#)

#### *Canvassing*

9 Section 49 comes into operation on [<sup>F5</sup>1st October 1977].

#### Textual Amendments

**F5** Words substituted by [S.I. 1977/802, para. 3](#)

#### *Circulars to minors*

10 Section 50 comes into operation on [<sup>F6</sup>1st July 1977].

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**Textual Amendments**

**F6** Words substituted by [S.I. 1977/802](#), [para. 3](#)

<sup>F7</sup> ...

**Textual Amendments**

**F7** Sch. 3 para. 11 and cross-heading 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), arts. 1(2)(6), **20(66)(b)**

<sup>F711</sup> .....

**PART V OF ACT**

**ENTRY INTO CREDIT OR HIRE AGREEMENTS**

*Antecedent negotiations*

- 12 (1) Section 56 applies to negotiations in relation to an actual or prospective regulated agreement where the negotiations begin after [<sup>F8</sup>16th May 1977].
- (2) In section 56(3), “agreement”, where it first occurs, means an agreement whenever made.

**Textual Amendments**

**F8** Words substituted by [S.I. 1977/325](#), [art. 2 Sch. 1 para. 1](#)

*General*

- 13 Sections 57 to 59, 61 to 65 and 67 to 73 come into operation on [<sup>F9</sup>19th May 1985].

**Textual Amendments**

**F9** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

- 14 Section 66 comes into operation on [<sup>F10</sup>19th May 1985].

**Textual Amendments**

**F10** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

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## PART VI OF ACT

### MATTERS ARISING DURING CURRENCY OF CREDIT OR HIRE AGREEMENTS

#### *Liability of creditor for breaches by supplier*

- 15 Section 75 comes into operation on [<sup>F11</sup>1st July 1977 but only in relation to regulated agreements made on or after that day].

#### Textual Amendments

**F11** Words substituted by [S.I. 1977/802, para. 3](#)

#### *Duty to give notice*

- 16 (1) Section 76 comes into operation on [<sup>F12</sup>19th May 1985].  
(2) Section 76 applies to an agreement made before [<sup>F12</sup>19th May 1985] where the agreement would have been a regulated agreement if made on that day.

#### Textual Amendments

**F12** Words substituted by [S.I. 1983/1551, arts. 2\(1\), 3\(a\)\(i\)](#)

#### *Duty to give information*

- 17 (1) Sections 77 to 80 come into operation on [<sup>F13</sup>19th May 1985].  
(2) Sections 77 to 79 apply to an agreement made before [<sup>F13</sup>19th May 1985] where the agreement would have been a regulated agreement if made on that day.

#### Textual Amendments

**F13** Words substituted by [S.I. 1983/1551, arts. 2\(1\), 3\(a\)\(i\)](#)

#### *Appropriation of payments*

- 18 Section 81 comes into operation on [<sup>F14</sup>19th May 1985].

#### Textual Amendments

**F14** Words substituted by [S.I. 1983/1551, arts. 2\(1\), 3\(a\)\(i\)](#)

#### *Variation of agreements*

- 19 Section 82 comes into operation on [<sup>F15</sup>1st April 1977].

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**Textual Amendments**

**F15** Words substituted by [S.I. 1977/325](#), [art. 2 Sch. 1 para. 1](#)

*Misuse of credit facilities*

- 20 (1) Sections 83 and 84 come into operation on [<sup>F16</sup>19th May 1985].
- (2) Subject to sub-paragraph (4), section 83 applies to an agreement made before [<sup>F16</sup>19th May 1985] where the agreement would have been a regulated consumer credit agreement if made on that day.
- (3) Subject to sub-paragraph (4), section 84 applies to an agreement made before [<sup>F16</sup>19th May 1985] where the agreement would have been a credit-token agreement if made on that day.
- (4) Sections 83 and 84 do not apply to losses arising before [<sup>F16</sup>19th May 1985].
- (5) Section 84(4) shall be taken to be satisfied in relation to an agreement made before [<sup>F16</sup>19th May 1985] if, within 28 days after that day, the creditor gives notice to the debtor of the name, address and telephone number of a person stated in that notice to be the person to whom notice is to be given under section 84(3).

**Textual Amendments**

**F16** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

*Duty on issue of new credit-tokens*

- 21 (1) Section 85 comes into operation on [<sup>F17</sup>19th May 1985].
- (2) Section 85 applies to an agreement made before [<sup>F17</sup>19th May 1985] where the agreement would have been a regulated agreement if made on that day.

**Textual Amendments**

**F17** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

*Death of debtor or hirer*

- 22 (1) Section 86 comes into operation on [<sup>F18</sup>19th May 1985].
- (2) Section 86 applies to an agreement made before [<sup>F18</sup>19th May 1985] where the agreement would have been a regulated agreement if made on that day.

**Textual Amendments**

**F18** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

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## PART VII OF ACT

### DEFAULT AND TERMINATION

#### *Default notices*

23 Sections 87 to 89 come into operation on [<sup>F19</sup>19th May 1985].

#### **Textual Amendments**

**F19** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

#### *Retaking of goods and land*

24 Sections 90 and 91 come into operation on [<sup>F20</sup>19th May 1985].

#### **Textual Amendments**

**F20** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

25 Section 92 comes into operation on [<sup>F21</sup>19th May 1985].

#### **Textual Amendments**

**F21** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

#### *Interest on default*

26 Section 93 comes into operation on [<sup>F22</sup>19th May 1985].

#### **Textual Amendments**

**F22** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

#### *Early payment by debtor*

27 Sections 94 to 97 come into operation on [<sup>F23</sup>19th May 1985].

#### **Textual Amendments**

**F23** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

#### *Termination of agreements*

28 Section 98 comes into operation on [<sup>F24</sup>19th May 1985].

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**Textual Amendments**

**F24** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

29 Section 99 comes into operation on [<sup>F25</sup>19th May 1985].

**Textual Amendments**

**F25** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

30 Section 100 comes into operation on [<sup>F26</sup>19th May 1985].

**Textual Amendments**

**F26** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

31 Section 101 comes into operation on [<sup>F27</sup>19th May 1985].

**Textual Amendments**

**F27** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

32 Section 102 comes into operation on [<sup>F28</sup>19th May 1985].

**Textual Amendments**

**F28** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

33 Section 103 comes into operation on [<sup>F29</sup>19th May 1985].

**Textual Amendments**

**F29** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

34 Section 104 comes into operation on [<sup>F30</sup>19th May 1985].

**Textual Amendments**

**F30** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

*Old agreements*

35 Part VII (except sections 90, 91, 93 and 99 to 102 and 104) applies to an agreement made before [<sup>F31</sup>19th May 1985] where the agreement would have been a regulated agreement if made on that day.

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**Textual Amendments**

**F31** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

**PART VIII OF ACT**

SECURITY

*General*

36 Section 105 comes into operation on [<sup>F32</sup>19th May 1985].

**Textual Amendments**

**F32** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

37 (1) Sections 107 to 110 come into operation on [<sup>F33</sup>19th May 1985].

(2) Sections 107 to 110 apply to an agreement made before [<sup>F33</sup>19th May 1985] where the agreement would have been a regulated agreement if made on that day.

**Textual Amendments**

**F33** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

38 (1) Section 111 comes into operation on [<sup>F34</sup>19th May 1985].

(2) Section 111 applies to an agreement made before [<sup>F34</sup>19th May 1985] where the agreement would have been a regulated agreement if made on that day.

**Textual Amendments**

**F34** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), 3(a)(i)

*Pledges*

39 Sections 114 to 122 come into operation on [<sup>F35</sup>19th May 1985 but only in respect of articles taken in pawn under a regulated consumer credit agreement].

**Textual Amendments**

**F35** Words substituted by [S.I. 1983/1551](#), [arts. 2\(2\)](#), 3(a)(ii)

*Negotiable instruments*

40 Sections 123 to 125 come into operation on [<sup>F36</sup>19th May 1985].



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**Textual Amendments**

**F36** Words substituted by [S.I. 1984/436](#), [art. 3](#)

*Land mortgages*

41 Section 126 comes into operation on [<sup>F37</sup>19th May 1985].

**Textual Amendments**

**F37** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), [3\(a\)\(i\)](#)

**PART IX OF ACT**

JUDICIAL CONTROL

42 Sections 137 to 140 (extortionate credit bargains) come into operation on [<sup>F38</sup>16th May 1977], and apply to agreements and transactions whenever made.

**Textual Amendments**

**F38** Words substituted by [S.I. 1977/325](#), [art. 2 Sch. 1 para. 1](#)

43 Subject to paragraph 42, Part IX comes into operation on [<sup>F39</sup>19th May 1985].

**Textual Amendments**

**F39** Words substituted by [S.I. 1983/1551](#), [arts. 2\(1\)](#), [3\(a\)\(i\)](#)

**PART X OF ACT**

ANCILLARY CREDIT BUSINESSES

*F40*  
...

**Textual Amendments**

**F40** Sch. 3 para. 44 and cross-heading 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), [arts. 1\(2\)\(6\)](#), [20\(66\)\(c\)](#)

44 .....

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F41 ...

**Textual Amendments**

**F41** Sch. 3 para. 45 and cross-heading omitted (26.7.2013 for specified purposes) by virtue of [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) \(No.2\) Order 2013 \(S.I. 2013/1881\)](#), arts. 1(2)(6), **20(66)(c)**

45 .....

F42 ...

**Textual Amendments**

**F42** Sch. 3 para. 46 and cross-heading 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 \(S.I. 2013/1881\)](#), arts. 1(2)(6), **20(66)(c)**

46 .....

*Advertisements*

47 Subsections (1) and (2) of section 151 do not apply to any advertisement published before 6th October 1980

*Credit Reference Agencies*

48 Sections 157 and 158 do not apply to a request received before 16th May 1977.

**PART XII OF ACT**

SUPPLEMENTAL

*Interpretation*

- 49 (1) In the case of an agreement—
- (a) which was made before [<sup>F43</sup>19th May 1985], and
  - (b) to which (by virtue of paragraph 17(2)) section 78(4) applies,
- section 185(2) shall have effect as respects a notice given before that day in relation to the agreement (whether given before or after the passing of this Act) as it would have effect if section 78(4) had been in operation when the notice was given.
- (2) Paragraph (1) applies to an agreement made on or after [<sup>F43</sup>19th May 1985] to provide credit on a current account opened before that day as it applies to an agreement made before that day.

**Textual Amendments**

**F43** Words substituted by [S.I. 1983/1551](#), **art. 3(b)**

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- 50            In section 189, the definition of “local authority ” shall have effect in relation to matters arising before 16th May 1975 as if for the words “regional, islands or district council ” there were substituted “a county council or town council ”.

**Status:**

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**Changes to legislation:**

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