



Consumer Credit Act 1974

1974 CHAPTER 39

PART IX

JUDICIAL CONTROL

Miscellaneous

142 Power to declare rights of parties.

- (1) Where under any provision of this Act a thing can be done by a creditor or owner on an enforcement order only, and either—
- (a) the court dismisses (except on technical grounds only) an application for an enforcement order, or
 - (b) where no such application has been made or such an application has been dismissed on technical grounds only, an interested party applies to the court for a declaration under this subsection,

the court may if it thinks just make a declaration that the creditor or owner is not entitled to do that thing, and thereafter no application for an enforcement order in respect of it shall be entertained.

- (2) Where—
- (a) a regulated agreement or linked transaction is cancelled under section 69(1), or becomes subject to section 69(2), or
 - (b) a regulated agreement is terminated under section 91,
- and an interested party applies to the court for a declaration under this subsection, the court may make a declaration to that effect.

Status:

Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation:

Consumer Credit Act 1974, Section 142 is up to date with all changes known to be in force on or before 07 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.