



# Consumer Credit Act 1974

## 1974 CHAPTER 39

### PART XII

#### SUPPLEMENTAL

VALID FROM 06/04/2008

#### **[<sup>F1</sup>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;
  - (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

*Status: Point in time view as at 27/08/1993. This version of this provision is not valid for this point in time.*

*Changes to legislation: Consumer Credit Act 1974, Section 174A is up to date with all changes known to be in force on or before 09 June 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. (See end of Document for details)*

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).]

#### Textual Amendments

- F1** S. 174A inserted (6.4.2008) by [Consumer Credit Act 2006 \(c. 14\)](#), ss. {51(5)}, 71(2); [S.I. 2007/3300](#), [art. 3\(2\)](#), [Sch. 2](#)

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