



Consumer Credit Act 1974

1974 CHAPTER 39

PART III

LICENSING OF CREDIT AND HIRE BUSINESSES

Miscellaneous

VALID FROM 06/04/2008

[^{F1}39B Further provision relating to civil penalties

- (1) Before determining to impose a penalty on a person under section 39A the OFT shall give a notice to that person—
 - (a) informing him that it is minded to impose a penalty on him;
 - (b) stating the proposed amount of the penalty;
 - (c) setting out its reasons for being minded to impose a penalty on him and for proposing that amount;
 - (d) setting out the proposed period for the payment of the penalty; and
 - (e) inviting him to submit representations to it about the matters mentioned in the preceding paragraphs in accordance with section 34.
- (2) In determining whether and how to exercise its powers under section 39A in relation to a person's failure, the OFT shall have regard to (amongst other things)—
 - (a) any penalty or fine that has been imposed on that person by another body in relation to the conduct giving rise to the failure;
 - (b) other steps that the OFT has taken or might take under this Part in relation to that conduct.
- (3) General notice shall be given of the imposition of a penalty under section 39A on a person who is a responsible person in relation to a group licence.

Status: Point in time view as at 15/11/2005. This version of this provision is not valid for this point in time.

Changes to legislation: Consumer Credit Act 1974, Section 39B is up to date with all changes known to be in force on or before 08 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)

(4) That notice shall include the matters set out in the notice imposing the penalty in accordance with section 39A(2)(a) and (b).]

Textual Amendments

F1 S. 39B inserted (6.4.2008) by Consumer Credit Act 2006 (c. 14), ss. {53(1)}, 71(2)

Status:

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