



Consumer Credit Act 2006

2006 CHAPTER 14

Applications for licences and fitness to hold a licence etc.

31 Variation of standard licences etc.

(1) In section 30 of the 1974 Act (variation of licences by request) for subsection (1) substitute—

“(1) If it thinks fit, the OFT may by notice to the licensee under a standard licence—

- (a) in the case of a licence which covers the carrying on of a type of business only so far as it falls within one or more descriptions of business, vary the licence by—
 - (i) removing that limitation;
 - (ii) adding a description of business to that limitation; or
 - (iii) removing a description of business from that limitation;
- (b) in the case of a licence which covers the carrying on of a type of business with no limitation, vary the licence so that it covers the carrying on of that type of business only so far as it falls within one or more descriptions of business;
- (c) vary the licence so that it no longer covers the carrying on of a type of business at all;
- (d) vary the licence so that a type of business the carrying on of which is not covered at all by the licence is covered either—
 - (i) with no limitation; or
 - (ii) only so far as it falls within one or more descriptions of business; or
- (e) vary the licence in any other way except for the purpose of varying the descriptions of activities covered by the licence.

(1A) The OFT may vary a licence under subsection (1) only in accordance with an application made by the licensee.

- (1B) References in this section to a description of business in relation to a type of business—
- (a) are references to a description of business specified in a general notice under section 24A(5)(a); and
 - (b) in subsection (1)(a) (apart from sub-paragraph (ii)) include references to a description of business that was, but is no longer, so specified.”
- (2) In subsection (1) of section 31 of that Act (compulsory variation of licences) for “the licence should be varied” substitute “it should take steps mentioned in subsection (1A)”.
- (3) After that subsection insert—
- “(1A) Those steps are—
- (a) in the case of a standard licence, steps mentioned in section 30(1)(a) (ii) and (iii), (b), (c) and (e);
 - (b) in the case of a group licence, the varying of terms of the licence.”
- (4) After subsection (7) of that section insert—
- “(8) Subsection (1) shall have effect in relation to a standard licence as if an application could be made for the renewal or further renewal of the licence on the same terms (except as to expiry) even if such an application could not be made because of provision made in a general notice under section 24A(5).
- (9) Accordingly, in applying subsection (1AA) of section 25 in relation to the licence for the purposes of this section, the OFT shall treat references in that subsection to the description or descriptions of business in relation to a type of business as references to the description or descriptions of business included in the licence in relation to that type of business, notwithstanding that provision under section 24A(5).”
- (5) In section 32 of that Act (suspension and revocation of licences) after subsection (8) insert—
- “(9) The OFT has no power to revoke or to suspend a standard licence simply because, by virtue of provision made in a general notice under section 24A(5), a person cannot apply for the renewal of such a licence on terms which are the same as the terms of the licence in question.”