



Consumer Credit Act 2006

2006 CHAPTER 14

Powers and duties in relation to information

46 Power of OFT to require information generally

After section 36A of the 1974 Act (inserted by section 45 of this Act) insert—

“36B Power of OFT to require information generally

- (1) The OFT may by notice to a person require him—
 - (a) to provide such information as may be specified or described in the notice; or
 - (b) to produce such documents as may be so specified or described.
- (2) The notice shall set out the reasons why the OFT requires the information or documents to be provided or produced.
- (3) The information or documents shall be provided or produced—
 - (a) before the end of such reasonable period as may be specified in the notice; and
 - (b) at such place as may be so specified.
- (4) A requirement may be imposed under subsection (1) on a person who is—
 - (a) the licensee under a standard licence, or
 - (b) the original applicant for a group licence,only if the provision or production of the information or documents in question is reasonably required for purposes connected with the OFT's functions under this Act.
- (5) A requirement may be imposed under subsection (1) on any other person only if—
 - (a) an act or omission mentioned in subsection (6) has occurred or the OFT has reason to suspect that such an act or omission has occurred; and

Status: This is the original version (as it was originally enacted).

- (b) the provision or production of the information or documents in question is reasonably required for purposes connected with—
 - (i) the taking by the OFT of steps under this Part as a consequence;
or
 - (ii) its consideration of whether to take such steps as a consequence.
- (6) Those acts or omissions are acts or omissions which—
 - (a) cast doubt on whether, having regard to section 25(2), a person is a fit person to carry on a business under a standard licence;
 - (b) cast doubt on whether the public interest is better served by a group licence remaining in effect, or being issued, than by obliging the persons who are licensees under it, or who would be licensees under it, to apply separately for standard licences;
 - (c) give rise, or are likely to give rise, to dissatisfaction for the purposes of section 33A(1) or 33B(1); or
 - (d) constitute or give rise to a failure of the kind mentioned in section 39A(1).”