



Consumer Credit Act 2006

2006 CHAPTER 14

Powers and duties in relation to information

47 Power of OFT to require access to premises

After section 36B of the 1974 Act (inserted by section 46 of this Act) insert—

“36C Power of OFT to require access to premises

- (1) The OFT may by notice to a licensee under a licence require him to secure that access to the premises specified or described in the notice is given to an officer of an enforcement authority in order for the officer—
 - (a) to observe the carrying on of a business under the licence by the licensee; or
 - (b) to inspect such documents of the licensee relating to such a business as are—
 - (i) specified or described in the notice; and
 - (ii) situated on the premises.
- (2) The notice shall set out the reasons why the access is required.
- (3) The premises which may be specified or described in the notice—
 - (a) include premises which are not premises of the licensee if they are premises from which he carries on activities in connection with the business in question; but
 - (b) do not include premises which are used only as a dwelling.
- (4) The licensee shall secure that the required access is given at such times as the OFT reasonably requires.
- (5) The OFT shall give reasonable notice of those times.
- (6) Where an officer is given access to any premises by virtue of this section, the licensee shall also secure that persons on the premises give the officer such

Status: Point in time view as at 06/04/2008. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Consumer Credit Act 2006, Section 47. (See end of Document for details)

assistance or information as he may reasonably require in connection with his observation or inspection of documents (as the case may be).

- (7) The assistance that may be required under subsection (6) includes (amongst other things) the giving to the officer of an explanation of a document which he is inspecting.
- (8) 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 observation or inspection in question is reasonably required for purposes connected with the OFT's functions under this Act.
- (9) A requirement may be imposed under subsection (1) on any other person only if—
- (a) an act or omission mentioned in section 36B(6) has occurred or the OFT has reason to suspect that such an act or omission has occurred; and
 - (b) the observation or inspection 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.
- (10) In this section—
- (a) references to a licensee under a licence include, in relation to a group licence issued on application, references to the original applicant; and
 - (b) references to a business being carried on under a licence by a licensee include, in relation to the original applicant for a group licence, activities being carried on by him for the purpose of regulating or otherwise supervising (whether by virtue of an enactment, an agreement or otherwise) licensees under that licence in connection with their carrying on of businesses under that licence.”

Commencement Information

II S. 47 in force at 6.4.2008 by S.I. 2007/3300, art. 3(2), Sch. 2

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