
STATUTORY INSTRUMENTS

1983 No. 1566

CONSUMER CREDIT

The Consumer Credit (Pawn-Receipts) Regulations 1983

<i>Made</i>	- - - -	<i>24th October 1983</i>
<i>Laid before Parliament</i>		<i>3rd November 1983</i>
<i>Coming into Operation</i>		<i>19th May 1985</i>

The Secretary of State, in exercise of the powers conferred on him by sections 114(1) and 189(1) of the Consumer Credit Act 1974 and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Consumer Credit (Pawn-Receipts) Regulations 1983 and shall come into operation on 19th May 1985.

(2) In these Regulations—

“the Act” means the Consumer Credit Act 1974; and

“lettering” includes figures and symbols.

2. Where a pawn-receipt is given under section 114(1) of the Act, by a person who takes any article in pawn under a regulated consumer credit agreement or a modifying agreement varying or supplementing an earlier agreement for the provision of credit which is, or is treated under section 82(3) of the Act as, a regulated agreement, and where the pawn-receipt is separate from any document embodying such an agreement—

(a) the lettering in the pawn-receipt shall, apart from any signature, be easily legible and of a colour which is readily distinguishable from the colour of the paper;

(b) where words are shown in capital letters in the Form specified in the Schedule to these Regulations and are reproduced in the pawn-receipt, they shall be afforded more prominence (whether by capital letters, underlining, large or bold print or otherwise) than any other lettering in that Form, except lettering inserted in accordance with paragraph (c) (vi) below and no less prominence than that given to any other information in the pawn-receipt apart from the heading to the pawn-receipt, trade names, the names of the creditor and debtor or lettering in the pawn-receipt inserted in handwriting; and

(c) the pawn-receipt shall include—

(i) a prominent heading on the front of the pawn-receipt, consisting of the following words—

“Consumer Credit Act 1974—Pawn-Receipt”;

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- (ii) the name and a postal address of the creditor;
- (iii) the name and a postal address of the debtor;
- (iv) the date and the number or other reference of the agreement under which the article was taken in pawn sufficient to identify it;
- (v) a description of the article taken in pawn sufficient to identify it;
- (vi) a notice in a box on the front of the pawn-receipt in the Form specified in the Schedule to these Regulations without any alteration or addition, except that—
 - (aa) the notice shall be completed in accordance with the footnotes;
 - (bb) the words “the creditor” may be replaced by the name of the creditor, by the expression by which the creditor is referred to in the pawn-receipt or by an appropriate pronoun, and any consequential changes to pronouns and verbs or other consequential grammatical changes may be made; and
 - (cc) the word “DEBTOR” may be replaced by “BORROWER” or “CUSTOMER”;
- (vii) the signature by or on behalf of the person taking the article in pawn; and
- (viii) the date on which the article was taken in pawn.

3.—(1) Any footnote to the Form specified in the Schedule to these Regulations shall not be treated as part of that Form and may be reproduced in addition to that Form.

(2) Where any such footnote requires the creditor to omit any words, those words shall be omitted or deleted.

24th October 1983

Alexander Fletcher
Parliamentary Under-Secretary of State
Department of Trade and Industry

SCHEDULE

Regulation 2

EXPLANATORY NOTE

These Regulations prescribe the form of the pawn-receipt which has to be given under section 114(1) of the Consumer Credit Act 1974 by a person who takes an article in pawn under a consumer credit agreement regulated by that Act to the person from whom he receives the article at the time he receives it.

The Regulations apply where such a pawn-receipt and any document embodying the agreement are separate.

Where the pawn-receipt and any document embodying the agreement are combined, the Consumer Credit (Agreements) Regulations 1983 (S.I. 1983/1553) apply.