
STATUTORY INSTRUMENTS

1983 No. 1570

CONSUMER CREDIT

**The Consumer Credit (Running-Account
Credit Information) 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 78(4) and (5), 182(2) and 189(1) of the Consumer Credit Act 1974 and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation, commencement and interpretation

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

(2) In these Regulations—

“accounting period” means a period to which a statement in writing relates showing the state of the account, where such statements are given at regular intervals by creditors under regulated agreements for running-account credit to debtors;

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

“lettering” includes figures and symbols.

Form and contents of statements

2.—(1) Subject to paragraph (5) below, any statement to be given by a creditor under a regulated agreement to a debtor by virtue of section 78(4) of the Act (which relates to the duty of the creditor to give the debtor regular statements of account where running-account credit is provided) shall be in writing with the contents set out in the Schedule to these Regulations.

(2) The lettering in any part of any such statement shall, apart from any signature, be easily legible and of a colour which is readily distinguishable from the colour of the paper.

(3) Subject to paragraph (4) and Regulation 4 below, every such statement shall relate to a period starting from the end of the period to which the last previous statement complying with section 78(4) of the Act relates.

(4) Subject to Regulation 4 below, the first such statement shall relate to a period starting on or before the date of the first movement in the account.

(5) Where any information set out in the Schedule to these Regulations has been contained in a statement complying with section 78(4)(b) of the Act in relation to any period, nothing in the preceding provisions of this Regulation shall require that information to be contained in relation to that period in any subsequent statement complying with section 78(4) of the Act.

Prescribed period

3.—(1) The period of one month is hereby prescribed for the purposes of section 78(5) of the Act (the period after the end of the period to which the statement relates within which the creditor must give statements to the debtor), where the statement includes a demand for payment of any amount payable under the agreement by the debtor to the creditor.

(2) Where the statement does not include any such demand and indicates that there is no debit or credit balance standing on the account under the agreement at the end of the period to which the statement relates, the period prescribed for the purposes of section 78(5) of the Act shall be—

- (a) twelve months from the date of the end of the period to which the statement relates; or
- (b) where there has been no debit or credit balance standing on the account at any time during the period to which the statement relates, twelve months after the date on which there is first a debit or a credit balance on the account following the end of the period to which the statement relates.

(3) In any other case the period of six months is hereby prescribed for the purposes of section 78(5) of the Act.

Old agreements

4.—(1) Where the agreement was made prior to 19th May 1985 and on that date (or at the end of an accounting period not exceeding one month during which that date falls) there is no debit or credit balance standing on the account under the agreement, the first statement to be given in pursuance of these Regulations shall relate to a period starting from a date on or before the first movement in the account on or after 19th May 1985.

(2) Where the agreement was made prior to 19th May 1985 and on that date (or at the end of an accounting period not exceeding one month during which that date falls) there is a debit or a credit balance standing on the account under the agreement, the first statement to be given in pursuance of these Regulations shall relate to a period starting from—

- (a) the end of the period to which the last previous statement in writing related, being a statement which was given by the creditor to the debtor and showed (according to the information to which it was then practicable for the creditor to refer) the state of the account at that time; or
- (b) a date on or before the date of the first movement in the account following the end of the period to which the last previous statement in writing related; or
- (c) if there has been a movement in the account during the period of twelve months immediately preceding 19th May 1985, a date on or before the date of the first such movement; or
- (d) if there has been no such movement in the account, a date not less than twelve months before 19th May 1985.

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24th October 1983

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

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SCHEDULE

Regulation 2

PRESCRIBED CONTENTS TO BE INCLUDED IN A STATEMENT TO BE GIVEN BY A CREDITOR TO A DEBTOR OF THE STATE OF THE ACCOUNT WHERE RUNNING-ACCOUNT CREDIT IS PROVIDED UNDER A REGULATED AGREEMENT

1. Any opening balance standing on the account at the beginning of the period to which the statement relates and the balance at the end of that period.
2. The date of any movement in the account shown on the statement during the period to which the statement relates and the date of the end of that period.
3. The amount of any payment made into the account by, or to the credit of, the debtor during the period to which the statement relates.
4. The amount of any drawing on the account by the debtor during the period to which the statement relates, with sufficient information to enable the debtor to identify the drawing.
5. The amount of any interest or other charges payable by the debtor and applied to the account during the period to which the statement relates, whether or not the interest or other charges relate only to the said period.
6. Where the statement shows that interest has been applied to the account during the period to which the statement relates—
 - (a) sufficient information to enable the debtor to check the calculation of the amount of the interest so applied; or
 - (b) the rate of interest which has been used to calculate the amount of the interest so applied or, if the rate has varied, each rate of interest which has been so used and the time during which each rate applied; or
 - (c) a statement that the rate, or each rate, of interest which has been used to calculate the amount of the interest so applied will be provided by the creditor on request, together with a clear explanation of the manner in which the amount of the interest so applied has been calculated.

EXPLANATORY NOTE

Under section 78(4) of the Consumer Credit Act 1974, a creditor under a running-account credit agreement regulated by the Act must give the debtor regular statements of account. These Regulations prescribe the form and contents of those statements.

The Regulations also prescribe the period within which the creditor under such an agreement must give the statements to the debtor after the end of the period to which the statement relates. They contain transitional provisions relating to the first statement to be so given.

By virtue of paragraph 17 of Schedule 3 to the Act, section 78 applies to existing agreements where the agreement would have been a regulated agreement if made on the date of coming into operation of that section.