
STATUTORY INSTRUMENTS

1984 No. 1108

CONSUMER CREDIT

**The Consumer Credit (Cancellation Notices and
Copies of Documents) (Amendment) Regulations 1984**

<i>Made</i>	- - - -	<i>25th July 1984</i>
<i>Laid before Parliament</i>		<i>30th July 1984</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 64(1), 180, 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:—

1. These Regulations may be cited as the Consumer Credit (Cancellation Notices and Copies of Documents) (Amendment) Regulations 1984 and shall come into operation on 19th May 1985.

2. The Consumer Credit (Cancellation Notices and Copies of Documents) Regulations 1983 are hereby amended as follows:—

(a) for Regulation 3(2)(d) there shall be substituted the following Regulation:—

“(d) in the case of any copy of an executed agreement given to the debtor under section 77(1) of the Act for fixed-sum credit, or under section 78(1) for running-account credit, under which a person takes any article in pawn, any description of the article taken in pawn.”

; and

(b) after Regulation 5(3) there shall be inserted the following:—

“(4) In the case of—

- (a) an unexecuted agreement a copy of which is required to be delivered or sent to a debtor or hirer under section 62 of the Act;
- (b) an executed agreement a copy of which is required to be delivered to a debtor or hirer under section 63(1); or
- (c) an executed agreement a copy of which is required to be given to a debtor or hirer under section 63(2) or (4), and

which is not a cancellable agreement within the meaning of the Act and these Regulations but which may be cancelled by the debtor or hirer in accordance with terms of the agreement conferring upon him similar rights as if the agreement were such a cancellable agreement, the agreement may be treated for the purposes of this Regulation as if it were

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a cancellable agreement within the meaning of the Act and of these Regulations, and Regulation 2 shall then apply as if the agreement were such a cancellable agreement.”

25th July 1984

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

EXPLANATORY NOTE

These Regulations amend the Consumer Credit (Cancellation Notices and Copies of Documents) Regulations 1983 (the principal Regulations). They enable agreements which are not cancellable agreements within the meaning of the Consumer Credit Act 1974 but which confer on debtors or hirers similar rights of cancellation to be treated as cancellable agreements for the purposes of giving copies under sections 62 and 63 of the Act.

The Regulations also provide that copies given to debtors under section 78(1) of the Act of executed agreements for running-account credit, under which an article is taken in pawn, may omit the description of that article.

A note as to the provisions of the Act and Forms relating to copies of cancellable agreements and to cancellation notices is included overleaf. This replaces the corresponding note to the principal Regulations.

NOTE AS TO PROVISIONS OF THE CONSUMER CREDIT ACT 1974 AND FORMS RELATING TO COPIES OF CANCELLABLE AGREEMENTS AND TO CANCELLATION NOTICES

The appropriate provisions of the Act and the Forms required by the Consumer Credit (Cancellation Notices and Copies of Documents) Regulations 1983 are shown below.

The letter *A* denotes the section of the Act under which the first copy of the agreement (and of any document referred to in it) must be delivered or sent by post. The letter *B* denotes the section of the Act under which the second copy or separate cancellation notice must be sent by post. The letter *C* denotes the section under which the only copy required by the Act must be sent by post.

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<i>Cancellable Agreements which are:</i>					
<i>presented personally to the debtor or hirer for signature and which he becomes executed when he signs</i>	<i>sent to the debtor or hirer for signature and which become executed when he signs</i>	<i>sent to the debtor or hirer for signature and which do not become executed when he signs</i>	<i>neither presented personally nor sent to the debtor or hirer for signature (eg application form agreements taken from a dispenser)</i>		
Type of Regulated Agreement	(1)	(2)	(3)	(4)	(5)
<i>a</i> Debtor-creditor-supplier agreements for restricted-use credit to which section 68(b) of the Act applies	<i>A: s. 63(1)</i> Forms 3, 17*	<i>A: s. 62(2)</i> Forms 3, 17*			
<i>b</i> Hire-purchase and conditional sale agreements; consumer hire agreements	<i>A: s. 63(1)</i> Forms 4, 17* <i>B: s. 64(1)(b)</i> Form 18	<i>A: s. 62(1)</i> Forms 4, 17* <i>B: s. 63(2)&(3)</i> Forms 10, 16 and 17*	<i>A: s. 62(2)</i> Forms 4, 17* <i>B: s. 64(1)(b)</i> Form 18	<i>A: s. 62(2)</i> Forms 4, 17* <i>B: s. 63(2)&(3)</i> Forms 10, 16, 17*	<i>C: s. 63(2)&(3)</i> Forms 10, 16, 17*
<i>c</i> Other debtor-creditor-supplier agreements for restricted-use credit	<i>A: s. 63(1)</i> Forms 5, 17* <i>B: s. 64(1)(b)†</i> Form 19	<i>A: s. 62(1)</i> Forms 5, 17* <i>B: s. 63(2)‡ &(3)</i> Forms 11, 16, 17*	<i>A: s. 62(2)</i> Forms 5, 17* <i>B: s. 64(1)(b)†</i> Form 19	<i>A: s. 62(2)</i> Forms 5, 17* <i>B: s. 63(2)‡ &(3)</i> Forms 11, 16, 17*	<i>C: s. 63(2)‡ &(3)</i> Forms 11, 16, 17*
<i>d</i> Any other original	<i>A: s. 63(1)</i>	<i>A: s. 62(1)</i>	<i>A: s. 62(2)</i>	<i>A: s. 62(2)</i>	<i>C: s. 63(2)‡ &(3)</i>

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<i>Cancellable Agreements which are:</i>					
<i>presented personally to the debtor or hirer for signature and executed when he signs</i>	<i>sent to the debtor or hirer for signature and which become executed when he signs</i>	<i>sent to the debtor or hirer for signature and which do not become executed when he signs</i>	<i>neither presented personally nor sent to the debtor or hirer for signature (eg application form agreements taken from a dispenser)</i>		
Type of Regulated Agreement	(1)	(2)	(3)	(4)	(5)
<p>consumer credit or hire agreements not covered by <i>e</i> or <i>f</i> below</p>	<p>Forms 6, 17* B: s. 64(1)(b)† Form 20</p>	<p>Forms 6, 17* B: s. 63(2)‡ &(3) Forms 12, 16, 17*</p>	<p>Forms 6, 17* B: s. 64(1)(b)† Form 20</p>	<p>Forms 6, 17* B: s. 63(2) &(3) Forms 12, 16, 17*</p>	<p>Forms 12, 16, 17*</p>
<p><i>e</i> Original multiple agreements, not covered by <i>f</i> below, combining at least one agreement within <i>b</i> or <i>c</i> above and at least one agreement within <i>d</i> above</p>	<p>A: s. 63(1) Forms 7, 17* B: s. 64(1)(b)† Form 21</p>	<p>A: s. 62(1) Forms 7, 17* B: s. 63(2)‡ &(3) Forms 13, 16, 17*</p>	<p>A: s. 62(2) Forms 7, 17* B: s. 64(1)(b) Form 21</p>	<p>A: s. 62(2) Forms 7, 17* B: s. 63(2)‡ &(3) Forms 13, 16, 17*</p>	<p>C: s. 63(2)‡ &(3) Forms 13, 16, 17*</p>
<p><i>f</i> Original multiple agreements, combining at least one debtor-creditor agreement and at least one</p>	<p>A: s. 63(1) Forms 8, 17* B: s. 64(1)(b)† Form 22</p>	<p>A: s. 62(1) Forms 8, 17* B: s. 63(2)‡ &(3) Forms 14, 16, 17*</p>	<p>A: s. 62(2) Forms 8, 17* B: s. 64(1)(b)† Form 22</p>	<p>A: s. 62(2) Forms 8, 17* B: s. 63(2)‡ &(3) Forms 14, 16, 17*</p>	<p>C: s. 63(2)‡ &(3) Forms 14, 16, 17*</p>

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<i>Cancellable Agreements which are:</i>					
<i>presented personally to the debtor or hirer for signature and which he becomes executed when he signs</i>	<i>sent to the debtor or hirer for signature and which become executed when he signs</i>	<i>sent to the debtor or hirer for signature and which do not become executed when he signs</i>	<i>neither presented personally nor sent to the debtor or hirer for signature (eg application form agreements taken from a dispenser)</i>		
Type of Regulated Agreement	(1)	(2)	(3)	(4)	(5)
agreement which is a credit agreement not regulated by the Act					
g Modifying agreements treated as cancellable under section 82(5) of the Act	A: s. 63(1) Forms 9, 17* B: s. 64(1) (b)† Form 23	A: s. 62(1) Forms 9, 17* B: s. 63(2)‡ &(3) Forms 15, 16, 17*	A: s. 62(2) Forms 9, 17* B: s. 64(1) (b)† Form 23	A: s. 62(2) Forms 9, 17* B: s. 63(2)‡ &(3) Forms 15, 16, 17*	C: s. 63(2)&(3) Forms 15, 16, 17*

*Form 17 applies only when the cancellation notice does not appear prominently on the first page of the copy.

†In the case of a credit-token agreement, the notice may, alternatively, be sent under s. 64(2).

‡In the case of a credit-token agreement, the copy may, alternatively, be sent under s. 63(4).