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## Information sheets on arrears and default

**General Notice No: 69**

**16 January 2008**

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1. The Office of Fair Trading (OFT) hereby gives general notice pursuant to section 86A of the Consumer Credit Act 1974 (CCA) of arrears information sheets and default information sheets, which are available on the OFT website at [www.offt.gov.uk](http://www.offt.gov.uk).

### **Background**

2. Section 86A(1) CCA, as inserted by section 8 of the Consumer Credit Act 2006, requires the OFT to prepare, and give general notice of, an arrears information sheet and a default information sheet. These are intended to help debtors and hirers who receive arrears notices under sections 86B or 86C or default notices under section 88 CCA.
3. Section 86A(4) provides that the Secretary of State may make regulations as to the information to be included in an information sheet. No such regulations have been made to date.
4. Section 86B(6) provides that a notice of sums in arrears under a fixed-sum credit agreement or a consumer hire agreement must include a copy of the current arrears information sheet under section 86A, and section 86C(3) makes equivalent provision in relation to notices of sums in arrears under running-account credit agreements. Section 88(4A) provides that a default notice must include a copy of the current default information sheet.
5. The relevant provisions on arrears notices and default notices are due to be implemented from 1 October 2008.
6. The OFT has engaged in informal consultations with stakeholders on the form and content of the information sheets.

7. In this notice references to 'creditors' include owners where appropriate, and references to 'debtors' include hirers.

## **The information sheets**

8. We are specifying one information sheet on arrears and one on default. These are available as PDF documents for downloading from the OFT website. The documents in question carry the product codes OFT965 and OFT966.
9. Creditors will be required to send an information sheet in the form in which it appears on the website. For default notices, and arrears notices sent by post, the creditor will need to print off a paper copy to include with the notice. If an arrears notice is sent electronically, in accordance with section 176A CCA, the PDF will need to accompany the notice. In each case the information sheet must be a separate self-standing document from the notice.
10. Each information sheet in paper form must be printed on A4 paper, and must be double-sided. Fonts are embedded in the PDFs. The sheet may be printed either in black-and-white, or in the OFT corporate colours of blue and gold. The Pantone colour references for these are PMS 655 and PMS 132.
11. Two PDFs are available for each information sheet. One is for colour printing and the other for black-and-white printing. The PDFs are suitable for inkjet, laser (digital) or offset litho printing.
12. It will be permissible to convert the PDF documents to an alternative format to facilitate printing, subject to the above, and to add a barcode for that purpose at the foot of the front page. In all other respects, the information sheets must not be altered in any way from the PDFs on the website. The documents are also subject to Crown copyright rules.
13. The OFT will not be providing printed copies, other than as indicated below.

## **Other formats and languages**

14. The OFT will make available copies of the information sheets in alternative formats (large print, Braille or audio tape) on individual request by debtors.
15. We will also make such copies available to creditors on individual request, but only where these are needed to accompany an arrears notice or default notice

in the same format. We will not be providing copies in bulk to meet unspecified future needs.

16. If a creditor sends an information sheet to a debtor in an alternative format, it will be necessary also to include the 'standard' OFT version as prescribed by general notice. As noted above, sections 86B(6), 86C(3) and 88(4A) require the creditor to send the current information sheet under section 86A, and this must mean a version prepared by the OFT that has been the subject of a general notice pursuant to section 86A.
17. We will also be producing versions in Welsh, to comply with the requirements of the Welsh Language Act 1993. These will be added to the website in due course, and a further general notice will be issued.
18. We do not intend to produce versions in other languages, whether initially or on individual request. If a creditor wishes to send an arrears notice or default notice in another language, it will be open to them to include a version of the information sheet in the same language, subject to the caveats set out below.
19. The caveats referred to in paragraph 18 above are as follows:
  - any translation must be accurate in all respects, and must follow so far as possible the format and layout of the English version
  - as the translated version will not be an OFT document, it will not be permissible to include the OFT logo
  - it must be made clear to the debtor that the document is a translation of the OFT information sheet but that it has been produced by or on behalf of the creditor rather than the OFT
  - the English version (as prescribed by general notice) must be included in addition, in order to comply with the creditor's obligation to send the current information sheet under section 86A.

### **Coming into force**

20. Section 86A(5) provides that for the purposes of part 7 of the CCA an information sheet takes effect at the end of the period of three months beginning with the day on which general notice of it is given. This notice is

given on 16 January 2008 and the information sheets will therefore take effect on 16 April 2008.

21. The OFT may revise the information sheets from time to time, for example if relevant contact details change. In such a case, general notice will be given pursuant to section 86A(6), and the revised sheets will take effect three months later.

Simon Brindley  
For and on behalf of  
The Office of Fair Trading

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Office of Fair Trading  
Fleetbank House  
2-6 Salisbury Square  
London EC4Y 8JX

Simon Brindley  
Legal Director  
Markets and Projects  
Office of Fair Trading