STATUTORY INSTRUMENTS

1975 No. 2139

HIRE PURCHASE

The Hire-Purchase and Credit Sale Agreements (Control) (Amendment No. 3) Order 1975

Made - - - -	16*th December* 1975
Laid before Parliament	17*th December* 1975
Coming into Operation (except article 2(b)) -	18*th December* 1975
Article 2(b) - -	1*st January* 1976

The Secretary of State, in exercise of the powers conferred by sections 1 and 7 of the Emergency Laws (Re-enactments and Repeals) Act 1964(a) and all other powers enabling her in that behalf, hereby orders as follows:—

1.—(1) This Order may be cited as the Hire-Purchase and Credit Sale Agreements (Control) (Amendment No. 3) Order 1975 and (except article 2(*b*)) shall come into operation on 18th December 1975.

(2) Article 2(*b*) shall come into operation on 1st January 1976.

2. The Hire-Purchase and Credit Sale Agreements (Control) Order 1973(b) as varied(c) is hereby further varied—

(*a*) in article 2(1)(*a*), by the substitution for "19" of "11";

(*b*) by the insertion after article 2(1) of the following paragraph:—

"(1A) This Order does not apply to the disposal or to the possession of a vehicle of a description specified in item 11 in Part I of Schedule 1 hereto in pursuance of a hire-purchase or credit sale agreement where the hirer or purchaser—

(*a*) is a person entitled, at the time the agreement is made, to a mobility allowance under section 37A of the Social Security Act 1975(d) (which makes provision for payment of a mobility allowance to certain physically disabled persons) as inserted in that Act by section 22(1) of the Social Security Pensions Act 1975(e); or

(a) 1964 c. 60.
(b) S.I. 1973/2129 (1973 III, p. 7318).
(c) S.I. 1974/1868, 1975/711 (1974 III, p. 6426; 1975 I, p. 2565).
(d) 1975 c. 14.
(e) 1975 c. 60.

(*b*) is a receiver appointed by the Court of Protection in relation to a person referred to in (*a*) above with power to claim or, as the case may be, receive a mobility allowance on his behalf or, in Scotland, is the tutor, curator or other guardian acting or appointed in terms of law and administering the estate of any such person; or

(*c*) is a person appointed by the Secretary of State in relation to a person referred to in (*a*) above—

(i) in a case where that person is not under the age of 16, pursuant to regulation 26(1) of the Social Security (Claims and Payments) Regulations 1975(**a**) as applied in relation to a mobility allowance by regulation 21(1) of the Mobility Allowance Regulations 1975(**b**); and

(ii) in a case where that person is under the age of 16, pursuant to regulation 21(2) to (8) of the Mobility Allowance Regulations 1975; or

(*d*) is a person nominated for the purpose of this paragraph by any person referred to in (*a*) to (*c*) above:

Provided, in any such case, that at the time the agreement is made, the hirer or purchaser is not a party as hirer or purchaser to any other hire-purchase or credit sale agreement relating to a vehicle to which, by virtue of this article, this Order does not apply.";

(*c*) by the revocation—

(i) in paragraphs (2) and (3) of article 8, of the words "Subject to the provisions of Article 9(2)"; and

(ii) in paragraph (4) of Article 11, of the words "has disposed of them under a hire-purchase or credit sale agreement in the circumstances described in Article 9(1) or";

(*d*) by the revocation of article 9 and Schedule 3;

(*e*) by the substitution for Schedule 1 of the Schedule set out in the Schedule hereto.

3. The Hire-Purchase and Credit Sale Agreements (Control) (Amendment) Order 1974(**c**) is hereby revoked.

4. The Hire-Purchase and Credit Sale Agreements (Control) (Amendment No. 2) Order 1975(**d**) is hereby varied by the revocation of paragraphs (*b*) and (*c*) of article 2.

Alan Williams,

Minister of State,

Department of Prices and Consumer Protection.

16th December 1975.

(**a**) S.I. 1975/560 (1975 I, p. 2014).
(**b**) S.I. 1975/1573 (1975 III, p. 5450).
(**c**) S.I. 1974/1868 (1974 III, p. 6426).
(**d**) S.I. 1975/711 (1975 I, p. 2565).

Article 2(*e*)

SCHEDULE

SCHEDULE 1 TO THE HIRE-PURCHASE AND CREDIT SALE AGREEMENTS (CONTROL) ORDER 1973 AS SUBSTITUTED BY THIS ORDER

SCHEDULE 1

Article 2(1)(*a*) *and Schedule* 2, *paragraphs* 3 *and* 4

PART I

GOODS TO WHICH THIS ORDER APPLIES

Column 1 Description of Goods	Column 2 Minimum percentage of cash price Per cent.	Column 3 Maximum period for payment of balance Months
1. Radio receiving sets and television receiving sets (including portable sets and sets designed for use in road vehicles), whether or not assembled and whether or not complete, and parts thereof; television aerials, cathode ray tubes and loud speakers ...	20	30
2. Gramophones, radio-gramophones, record players, tape recorders and parts thereof ...	20	30
3. Appliances and apparatus of the following descriptions, whether mechanically operated or not, being appliances or apparatus of a kind designed exclusively or mainly for domestic use, and parts thereof:		
Dish washers	20	30
Drying cabinets and drying machines ...	20	30
Washing machines and washers excluding washing machines and washers which are designed for heating water by electricity or gas but which are not otherwise designed for operation by electricity or gas	20	30
Ironing machines and irons	20	30
Floor polishers and floor scrubbers ...	20	30
Vacuum cleaners	20	30
Refrigerators and freezers having a storage capacity not exceeding 18 cubic feet	20	30
Machines for mixing, extracting and preparation of food and drink	20	30
Electric kettles and other cooking utensils incorporating heating elements, including electric hotplates	20	30
Dry shavers, electrically operated ...	20	30
Sewing machines	20	30
Knitting machines	20	30
Hair drying machines and electric hair rollers	20	30

Column 1 Description of Goods	Column 2 Minimum percentage of cash price Per cent.	Column 3 Maximum period for payment of balance Months
Electric blankets	20	30
Electric generating plant	20	30
Waste disposal units	20	30
4. Lawnmowers and garden rollers and powered garden equipment	20	30
5. Clocks and watches	20	30
6. Trunks, bags and suitcases	20	30
7. Jewellery and imitation jewellery	20	30
8. Aircraft, including gliders	20	30
9. Photographic cameras and photographic enlargers and lenses therefor, projectors and other photographic equipment not designed specifically for industrial, scientific or commercial use	20	30
10. Binoculars, monoculars and telescopes ...	20	30
11. Mechanically propelled road vehicles having three or more wheels (not being motorcycles or mopeds with sidecars attached) constructed or adapted primarily for the purpose of carrying persons whether or not they are also constructed or adapted for any purpose ancillary thereto, and parts thereof (including chassis); and mechanically propelled road vehicles constructed or adapted for the purpose of carrying goods having a weight unladen calculated in accordance with section 194 of the Road Traffic Act 1972(a) of less than 40 cwt and having to the rear of the driver's seat roofed accommodation which is fitted with side windows or which is constructed or adapted for the fitting of side windows and parts thereof (including chassis)	33⅓	24
12. Goods to which this Order applies by virtue of Article 2(1)(*b*), that is to say, goods of any description not specified in any other item in this Part comprised in a hire-purchase or credit sale agreement with goods of a description so specified ...	The lowest percentage set out in this column in relation to goods, described in any other item, comprised in the agreement	The longest period set out in this column in relation to goods, described in any other item, comprised in the agreement

(a) 1972 c. 20.

PART II

GOODS (BEING GOODS INCLUDED IN A DESCRIPTION OF GOODS IN PART I OF THIS SCHEDULE) TO WHICH THIS ORDER DOES NOT APPLY UNLESS WITHIN ITEM 12 OF THAT PART

1. Ambulances.

2. Invalid carriages.

3. Vehicles specially constructed or adapted for disabled people.

4. Hearses.

5. Mobile shops and mobile canteens.

6. Vehicles constructed or adapted for the carriage of not less than twelve persons.

7. Any vehicle so constructed that a trailer may by partial superimposition be attached to it in such a manner as to cause a substantial part of the weight of the trailer to be borne by it.

8. Vehicles built to a specification designed to comply with the conditions of fitness laid down by the Assistant Commissioner for the purposes of the London Cab Order 1934(a).

9. Medical, surgical, dental and veterinary appliances, equipment and apparatus.

10. Helicopters.

11. Aircraft having a maximum total weight authorised exceeding 4,500 lb. In this item "maximum total weight authorised" shall have the meaning assigned to it in Article 91(1) of the Air Navigation Order 1974(b).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order further varies the Hire-Purchase and Credit Sale Agreements (Control) Order 1973—

(1) by modifying the range of goods within the control and by varying the minimum percentage of the cash price payable by way of deposit and the maximum permitted period for repayment (Article 2(*e*)); and

(2) by excluding from the control cases of the disposal or possession of certain mechanically propelled road vehicles under hire-purchase or credit sale agreements where the hirer or purchaser is a physically disabled person entitled to a mobility allowance under the Social Security Act 1975 or is a specified person acting on his behalf (Article 2(*b*)).

The Order also makes consequential amendments to the 1973 Order and the Hire-Purchase and Credit Sale Agreements (Control) (Amendment No. 2) Order 1975 and revokes the Hire-Purchase and Credit Sale Agreements (Control) (Amendment) Order 1974.

(a) S.R. & O. 1934/1346 (Rev. XIV, p. 795: 1934 I, p. 1221).

(b) S.I. 1974/1114 (1974 II, p. 4057).

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