

Chapter 20

Enforcement of the Consumer Credit Act 1974



20.4 Public censures, imposition of penalties and the impositions of suspensions or restrictions in relation to contraventions of the Consumer Credit Act 1974

- 20.4.1** When determining whether to take action to impose a penalty or to issue a public censure in relation to the contraventions of a *CCA Requirement*, the *FCA's* policy includes having regard to the relevant factors in ■ DEPP 6.2 and ■ DEPP 6.4. When determining the level of financial penalty, the *FCA's* policy includes having regard to relevant principles and factors in ■ DEPP 6.5 to ■ DEPP 6.5B, ■ DEPP 6.5D and ■ DEPP 6.7.
- 20.4.2** As with cases under the *Act*, the *FCA* may settle or mediate appropriate cases involving civil contraventions of *CCA Requirements* to assist it to exercise its functions. ■ DEPP 5, ■ DEPP 6.7 and ■ EG 5 set out information on the *FCA's* settlement process and the settlement discount scheme.
- 20.4.3** When determining whether to take action to impose a suspension or restriction in relation to the contraventions of *CCA Requirements*, the *FCA's* policy includes having regard to the relevant factors in ■ DEPP 6A.2 and ■ DEPP 6A.4. When determining the length of the period of suspension or restriction, the *FCA's* policy includes having regard to relevant principles and factors in ■ DEPP 6A.3.
- 20.4.4** The *FCA* will apply the approach to publicity that is outlined in ■ EG 6.