Home Credit Market Investigation Order 2017 Variation Order 2026

Notice of making an Order under sections 138 and 161 of the Enterprise Act 2002 issued under section 165 of, and Schedule 10 to, the Enterprise Act 2002

Background

1. On 30 November 2006, the Competition Commission (CC) published a report on its investigation of the home credit market in the United Kingdom (UK). The CC found that there was a detrimental effect on customers resulting from the adverse effect on competition (AEC). The Home Credit Market Investigation Order 2007 (the Order) was made to implement the remedy package intended to address the AEC that it had found.

2. The Order was varied in 2011 and 2024 to take account of the change of circumstances arising from market and regulatory developments.

3. On 19 January 2026, the Competition and Markets Authority (CMA) launched a strategic review of 33 markets remedies, under its duty in section 162 of the Enterprise Act 2002 (the Act), to consider whether, by reason of any change of circumstances, each remedy was no longer appropriate and needed to be varied or revoked. The Order was included in the strategic review.

4. On 12 August 2026, the CMA published its Provisional Decision on the strategic review. For the reasons given in that Provisional Decision, the CMA provisionally found that a change of circumstances had taken place and that the Order should be varied and gave notice, in accordance with paragraph 2 of Schedule 10 of the Act as applied by section 165 of the Act, of its intention to vary the Order.

5. The CMA received four responses to its Notice of 12 August 2026, non-confidential versions of which have been published on the CMA website.

6. The CMA has considered carefully all representations it has received. On 4 November 2026, the CMA published its Final Decision on the strategic review and has not made any modifications to the proposed order it consulted on.

7. The CMA now gives notice of the making of the attached Order under section 161(4) of the Act for the purposes of varying the Order.

8. This Notice, the Order and Explanatory Note accompanying the Order, which provides an explanation of how the Order is expected to operate, will be published on the CMA website.

The Order

The CMA makes this order in exercise of its powers in section 161(4) of the Enterprise Act 2002 for the purpose of further varying the Home Credit Market Investigation Order 2007. The Home Credit Market Investigation Order 2007 was made to remedy, mitigate or prevent the AEC and any detrimental effects on customers specified in the report of the Competition Commission entitled Home Credit Market Investigation (30 November 2006).

1. Citation, Commencement and Purpose

1.1 This order may be cited as the ‘Home Credit Market Investigation Order 2007 Variation Order 2026’.

1.2 This order shall come into force on 4 November 2026, which is the date of publication of the signed final order.

1.3 The purpose of this order is to vary the Home Credit Market Investigation Order 2007.

2. Interpretation

2.1 The definitions, interpretations and meanings ascribed to words and expressions in the Home Credit Market Investigation Order 2007 apply to this order except where words and expressions are expressly defined.

3. Variations to the Home Credit Market Investigation Order 2007

3.1 Omit Parts 2 and 4.

3.2 Omit Articles 30, 31 and 32 of Part 6.

Kirstin Baker
Chair of the Group
Competition and Markets Authority
4 November 2026

Explanatory Note

(This Note is not part of the Order)

1. The purpose of the Home Credit Market Investigation Order 2007 Variation Order 2026 is to vary the Home Credit Market Investigation Order 2007 (the Order).

2. On 4 November 2026, the CMA published its Final Decision (the Final Decision) that Parts 2 and 4 and Articles 30, 31 and 32 of Part 6 of the Order (the Relevant Provisions) are no longer appropriate by reason of a change of circumstances identified in paragraph 22.27 of its Final Decision.

3. The CMA decided the appropriate outcome was to remove the Relevant Provisions of the Order by means of a variation order. A Notice of Intention to vary the Order had been published with the Provisional Decision on 12 August 2026.

4. The variations remove the requirements set out in the Relevant Provisions relating to data sharing, consumer information and transparency. The current regulatory landscape, now supervised by the Financial Conduct Authority, includes the Consumer Duty, which although less prescriptive than the Relevant Provisions, ensure consumers receive the information they need to make effective and properly informed decisions.

5. Section 167 of the Enterprise Act 2002 (the Act) places a duty on any person to whom this Order applies to comply with it. Subject to the defences in that section, any person who suffers loss or damage due to breach of this duty may bring a civil action. Section 167 of the Act also provides that the CMA can seek to enforce this Order by civil proceedings for an injunction or for any other appropriate relief or remedy.

6. The CMA has a general duty to monitor the operation of an order under section 162 of the Act. This includes the duty to consider from time to time whether an order is no longer appropriate by reason of any change of circumstances and needs to be varied or revoked.

7. Nothing in this Explanatory Note is legally binding. In the event of a conflict between this Explanatory Note and the provisions of this variation Order or the Order, the variation Order or the Order as applicable shall prevail.