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Summary of CONC Transitional Provisions and Schedules

# Overview

This document contains transitional provisions and schedules from the Consumer Credit sourcebook (CONC), primarily addressing how firms should handle the transition between old consumer credit regulations and new FCA rules. It covers various transitional arrangements for financial promotions, persistent debt interventions, and record-keeping requirements.

# Key Points and Main Findings

## Transitional Provisions (TP 6-8)

**Financial Promotions and Catalogues (TP 6)**  
- Firms were given a transition period from April 1, 2014 to March 31, 2015  
- During this period, financial promotions in catalogues of 50+ pages could comply with old Consumer Credit Regulations instead of new CONC rules  
- Applied to catalogues first published before October 1, 2014

**Persistent Debt and Credit Cards (TP 7A & 7B)**  
- **TP 7A (2018)**: Firms had until September 1, 2018 to implement persistent debt rules for credit cards  
- **TP 7B (2018-2019)**: Extended transition for retail revolving credit until June 19, 2019  
- Firms must identify customers in persistent debt over 18-month periods and take prescribed intervention steps

**Other Provisions (TP 8)**  
- Various transitional arrangements including:  
 - Automatic renewal provisions (April 2016)  
 - Overdraft terminology definitions (December 2019 - April 2020)  
 - Debt packager business restrictions (June - October 2023)

## Schedules

**Schedule 1: Record Keeping Requirements**  
- Specifies retention periods for various records (typically 18 months to 5 years)  
- Covers information notices, customer confirmations, pawn records, debt management plans

**Schedule 2: Notification Requirements**  
- Firms must notify FCA within 14 days of changes to prudential resources requirements

**Schedule 5: Rights of Action for Damages**  
- Details which CONC rules can be actionable under section 138D of the Act  
- Most CONC rules are actionable by private persons  
- Prudential rules for debt management firms are not actionable

# Important Details and Conclusions

* Phased Implementation: The transitional provisions demonstrate a carefully phased approach to implementing new consumer credit regulations, allowing firms adequate time to adjust systems and processes.
* Persistent Debt Focus: Significant emphasis on addressing persistent debt in credit cards and retail revolving credit, with mandatory 18-month review cycles and escalating intervention requirements.
* Consumer Protection: The provisions maintain consumer protection throughout transition periods, ensuring firms cannot exploit regulatory gaps.
* Record Keeping: Comprehensive record-keeping requirements ensure accountability and enable regulatory oversight of consumer credit activities.
* Flexibility: Firms could choose to implement new rules early but must then comply fully - no partial implementation allowed.

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