



Financial Services (Banking Reform) Act 2013

2013 CHAPTER 33

PART 5

REGULATION OF PAYMENT SYSTEMS

Enforcement and appeals

76 Appeals: general

- (1) A person who is affected by any of the following decisions of the Payment Systems Regulator may appeal against the decision—
 - (a) a decision to give a direction under section 54 (other than a general direction),
 - (b) a decision to impose a requirement under section 55 (other than a generally-imposed requirement),
 - (c) a decision to exercise its power under section 56, 57 or 58,
 - (d) a decision to impose a sanction.
- (2) In subsection (1) the reference to imposing a sanction is a reference to—
 - (a) publishing details under section 72(1), or
 - (b) requiring the payment of a penalty under section 73.
- (3) If the decision is a CAT-appealable decision, the appeal must be made to the Competition Appeal Tribunal in accordance with section 77.
- (4) A “CAT-appealable decision” means—
 - (a) a decision to give a direction under section 54,
 - (b) a decision to impose a requirement under section 55, or
 - (c) a decision to publish details under section 72(1).

Changes to legislation: There are currently no known outstanding effects for the Financial Services (Banking Reform) Act 2013, Section 76. (See end of Document for details)

- (5) If the decision is a decision to impose a penalty on the person under section 73, the appeal must be made to the Competition Appeal Tribunal in accordance with section 78.
- (6) If the decision is a CMA-appealable decision, the appeal must be made to the Competition and Markets Authority (“the CMA”) in accordance with section 79.
- (7) A “CMA-appealable decision” means—
- (a) a decision to impose a requirement under section 56,
 - (b) a decision to vary an agreement under section 57, or
 - (c) a decision to impose a requirement under section 58.
- (8) The permission of the CMA is required for an appeal to be made in accordance with section 79.
- (9) The CMA may refuse permission for an appeal only if—
- (a) the appeal is made for reasons that are trivial or vexatious, or
 - (b) the appeal has no reasonable prospect of success.

Commencement Information

II S. 76 in force at 1.3.2014 by [S.I. 2014/377](#), art. 2(1)(a), [Sch. Pt. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the Financial Services (Banking Reform) Act 2013, Section 76.