

Changes to legislation: Compensation Act 2006, Cross Heading: Grant of authorisations is up to date with all changes known to be in force on or before 26 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE

CLAIMS MANAGEMENT REGULATIONS

Grant of authorisations

- 4 (1) Regulations shall prescribe the procedure for applying to the Regulator for authorisation.
- (2) Regulations may, in particular, require the provision of information or documents relating to the applicant or to any person who appears to the Regulator to be connected with the applicant.
- 5 (1) Regulations shall require the Regulator not to grant an application for authorisation unless satisfied of the applicant's competence and suitability to provide regulated claims management services of the kind to which the application relates.
- (2) For that purpose the Regulator shall apply such criteria, and have regard to such matters, as the regulations shall specify.
- (3) Regulations by virtue of sub-paragraph (2) may, in particular—
- (a) refer to a provision of directions, guidance or a code given or issued under section 5(4);
 - (b) relate to persons who are or are expected to be employed or engaged by, or otherwise connected with, the applicant;
 - (c) relate to—
 - (i) criminal records;
 - (ii) proceedings in any court or tribunal;
 - (iii) proceedings of a body exercising functions in relation to a trade or profession;
 - (iv) financial circumstances;
 - (v) management structure;
 - (vi) actual or proposed connections or arrangements with other persons;
 - (vii) qualifications;
 - (viii) actual or proposed arrangements for training;
 - (ix) arrangements for accounting;
 - (x) practice or proposed practice in relation to the provision of information about fees;
 - (xi) arrangements or proposed arrangements for holding clients' money;
 - (xii) arrangements or proposed arrangements for insurance.
- 6 Regulations may—
- (a) provide for authorisation to be on specified terms or subject to compliance with specified conditions;
 - (b) permit the Regulator to grant authorisation on terms or subject to conditions;
 - (c) permit the Regulator to grant an application for authorisation only to a specified extent or only in relation to specified matters, cases or circumstances.
- 7 ^{F1}(1) Regulations may—
- (a) enable the Regulator to charge—

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- (i) fees in connection with applications for, or the grant of, authorisation;
- (ii) periodic fees for authorised persons;
- (b) specify the consequences of failure to pay fees;
- (c) permit the charging of different fees for different cases or circumstances (which may, in particular, be defined wholly or partly by reference to turnover or other criteria relating to an authorised person's business);
- (d) permit the waiver, reduction or repayment of fees in specified circumstances;
- (e) provide for the amount of fees to be prescribed or controlled by the Secretary of State;
- (f) make provision for the manner in which fees are to be accounted for;
- (g) make provision for the application of income from fees (which may, in respect of a time when the Secretary of State is exercising functions of the Regulator under section 5(9) or (10), include provision permitting or requiring payment into the Consolidated Fund).

[^{F2}(2) The fees that may be charged by the Regulator by virtue of sub-paragraph (1) include fees in respect of costs incurred by the Regulator for the purposes of meeting any leviable OLC expenditure.]

Textual Amendments

- F1** Sch. para. 7(1): renumbered (21.3.2014) by [Financial Services \(Banking Reform\) Act 2013 \(c. 33\)](#), **ss. 140(2)**, 148(3); S.I. 2014/772, art. 2
- F2** Sch. para. 7(2) inserted (21.3.2014) by [Financial Services \(Banking Reform\) Act 2013 \(c. 33\)](#), **ss. 140(3)**, 148(3); S.I. 2014/772, art. 2

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(2A) inserted by [2007 c. 29 Sch. 19 para. 2\(2\)](#)
- s. 5(1A) inserted by [2007 c. 29 Sch. 19 para. 3\(2\)](#)
- s. 5(11) inserted by [2007 c. 29 Sch. 19 para. 3\(9\)](#)
- s. 6(3A) inserted by [2007 c. 29 Sch. 19 para. 4](#)
- s. 8(9) inserted by [2007 c. 29 Sch. 19 para. 6\(3\)](#)
- s. 9(2A) inserted by [2007 c. 29 Sch. 19 para. 7](#)