



Banking Act 2009

2009 CHAPTER 1

PART 5

^{F1}... PAYMENT SYSTEMS [^{F1}AND SERVICE PROVIDERS]

Enforcement

202 Appeal

- (1) Where the Bank of England notifies a person under section 201(1)(d) [^{F1}or (1A)(d)] that the Bank intends to impose a sanction, the person may appeal to the [^{F2}Upper Tribunal].
- (2) Where the Bank of England imposes a sanction on a person without notice in reliance on section 201(3), the person [^{F3}and, if the person is a service provider in relation to a recognised payment system [^{F4}or recognised DSA service provider], the operator of the payment system][^{F5}or DSA service provider (as the case may be)], may appeal to the [^{F6}Upper Tribunal].
- [^{F7}(3) The Bank of England may not impose a sanction while an appeal under this section could be brought or is pending.]

Textual Amendments

- F1** Words in s. 202(1) inserted (30.11.2017) by [The Banking Act 2009 \(Service Providers to Payment Systems\) Order 2017 \(S.I. 2017/1167\)](#), arts. 1(2), **2(22)(a)**
- F2** Words in s. 202(1) substituted (6.4.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(2)(e), **Sch. 2 para. 151(a)** (with Sch. 5)
- F3** Words in s. 202(2) inserted (30.11.2017) by [The Banking Act 2009 \(Service Providers to Payment Systems\) Order 2017 \(S.I. 2017/1167\)](#), arts. 1(2), **2(22)(b)**
- F4** Words in s. 202(2) inserted (29.8.2023) by [Financial Services and Markets Act 2023 \(c. 29\)](#), s. 86(2)(a), **Sch. 6 para. 30(a)**
- F5** Words in s. 202(2) inserted (29.8.2023) by [Financial Services and Markets Act 2023 \(c. 29\)](#), s. 86(2)(a), **Sch. 6 para. 30(b)**

Changes to legislation: Banking Act 2009, Section 202 is up to date with all changes known to be in force on or before 09 April 2024. 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

- F6** Words in s. 202(2) substituted (6.4.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(2)(e), **Sch. 2 para. 151(a)** (with Sch. 5)
- F7** S. 202(3) substituted (6.4.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(2)(e), **Sch. 2 para. 151(b)** (with Sch. 5)

Modifications etc. (not altering text)

- C1** S. 202 applied by 2013 c. 33, s. 124A(8) (as inserted (26.6.2020) by [Corporate Insolvency and Governance Act 2020 \(c. 12\)](#), s. 49(1), **Sch. 9 para. 49(3)** (with ss. 2(2), 5(2)))

Commencement Information

- I1** S. 202 in force at 31.12.2009 by [S.I. 2009/3000](#), art. 4, **Sch. para. 2**

Changes to legislation:

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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(8A)(8B) inserted by [2012 c. 21 s. 96\(3\)](#)
- s. 8(2)(d) and word inserted by [2012 c. 21 s. 96\(4\)\(b\)](#)