
STATUTORY INSTRUMENTS

2015 No. 1911

The Payment Card Interchange Fee Regulations 2015

PART 2

The Payment Systems Regulator

Information and investigation

14.—(1) Sections 81 to 93 of the 2013 Act (information and investigation powers and disclosure of information) apply for the purposes of the Payment Systems Regulator's functions under the interchange fee regulation and these Regulations as if—

- (a) references to Part 5 of the 2013 Act were references to the interchange fee regulation and these Regulations;
- (b) references to a participant in a regulated payment system were references to a regulated person and references to participation in a payment system were references to compliance with the interchange fee regulation read together with [^{F1}regulation 23 and with a direction given under regulation 4A];
- (c) references to a compliance failure were references to a compliance failure as defined in regulation 2(1);
- (d) in section 81 (power to obtain information or documents), subsection (1)(a) were omitted;
- (e) in section 83 (appointment of persons to conduct investigations), subsection (1) were omitted;
- (f) in section 90 (enforcement of information and investigation powers)—
 - (i) in subsection (7)(a)(i) for “ [^{F2}the general limit in a magistrates’ court] (or 6 months, if the offence was committed before [^{F3}2nd May 2022])” there were substituted “ 3 months ”;
 - (ii) in subsection (7)(a)(iii) for “6 months” there were substituted “ 3 months ”; and
 - (iii) in subsection (8)(a) for “51 weeks (or 3 months, if the offence was committed before the commencement of section 280(2) of the Criminal Justice Act 2003)” there were substituted “ 3 months ”;
- (g) in section 91 (restrictions on disclosure of confidential information), subsection (6) were omitted; and
- (h) in section 93 (offences relating to disclosure of confidential information), in subsection (4) (a) for “51 weeks (or 3 months, if the offence was committed before the commencement of section 280(2) of the Criminal Justice Act 2003)” there were substituted “ 3 months ”.

(2) The Financial Services (Banking Reform) Act 2013 (Disclosure of Confidential Information) Regulations 2014 ^{M1} (“the 2014 Regulations”) apply for the purposes of the Payment Systems Regulator's functions under the interchange fee regulation and these Regulations as if—

Changes to legislation: *The Payment Card Interchange Fee Regulations 2015, Section 14 is up to date with all changes known to be in force on or before 19 May 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*

- (a) the reference in regulation 5(3)(a) of the 2014 Regulations (disclosure for the purposes of certain other proceedings) to Part 5 of the 2013 Act were a reference to the interchange fee regulation and these Regulations; and
- (b) the following entry were included in the table in the Schedule to the 2014 Regulations (persons and functions in respect of which disclosure is permitted)—

“A general enforcer as defined in section 213(1) of the Enterprise Act 2002 Its functions under Part 8 of the Enterprise Act 2002 in so far as they relate to Article 10(4) of Regulation (EU) 2015/751 of the European Parliament and of the Council of 29th April 2015 on interchange fees for card-based payment transactions, and under regulation 20 of the Payment Card Interchange Fee Regulations 2015.”

Textual Amendments

- F1** Words in [reg. 14\(1\)\(b\)](#) substituted (1.1.2024) by [The Electronic Money, Payment Card Interchange Fee and Payment Services \(Amendment\) Regulations 2023 \(S.I. 2023/790\)](#), regs. 1(2)(b), **3(9)**
- F2** Words in [reg. 14\(1\)\(f\)\(i\)](#) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates’ Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), 2(2), **Sch. Pt. 2**
- F3** Words in [reg. 14\(1\)\(f\)\(i\)](#) substituted (28.4.2022) by [The Criminal Justice Act 2003 \(Commencement No. 33\) and Sentencing Act 2020 \(Commencement No. 2\) Regulations 2022 \(S.I. 2022/500\)](#), regs. 1(2), 5(2), **Sch. Pt. 2**

Marginal Citations

- M1** [S.I. 2014/882](#).

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Changes and effects yet to be applied to :

- Regulations revoked by [2023 c. 29 Sch. 1 Pt. 2](#)