
STATUTORY INSTRUMENTS

2015 No. 542

**The Alternative Dispute Resolution for Consumer Disputes
(Competent Authorities and Information) Regulations 2015**

PART 2

Competent Authorities and ADR Entities

Assessment of application to become an ADR entity

9.—(1) An ADR applicant may apply to the relevant competent authority to become an ADR entity.

(2) The ADR applicant must supply with an application—

- (a) the information in Schedule 2; and
- (b) such other information as the competent authority may require in order to assess whether the ADR applicant meets the requirements in Schedule 3.

(3) The information referred to in paragraph (2) must be provided in such form as the competent authority may require.

(4) The competent authority may only approve an application if it is satisfied that—

- (a) the ADR applicant is established in the United Kingdom; and
- (b) the requirements in Schedule 3—
 - (i) have been met by the ADR applicant, or
 - (ii) will be met by the ADR applicant within a reasonable period of time of the application being granted.

(5) Where—

- (a) an enactment contains the power for a competent authority to impose additional requirements which go beyond those set out in Schedule 3, and
- (b) such requirements, including issuing binding solutions on traders, are imposed for the purpose of ensuring a higher level of consumer protection,

such requirements shall be deemed to be included in Schedule 3 for the purposes of this regulation, regulations 12 and 13(1) and (2) and paragraph (i) of Schedule 2.

(6) Where an application is approved, the competent authority must as soon as is reasonably practicable give written notice to the ADR applicant.

(7) Where an application is rejected, the competent authority must as soon as is reasonably practicable give written notice of this fact to the ADR applicant, which must include the grounds on which it has rejected the application.

(8) For the purposes of paragraph (4)(a) an ADR applicant is “established”—

- (a) if the ADR applicant is operated by an individual, at the place where it carries out the dispute resolution;

- (b) if the ADR applicant is operated by a legal person, or association of persons, at the place where that legal person or association of persons carries out the dispute resolution or has its statutory seat;
- (c) if the ADR applicant is operated by a public authority or other public body, at the place where that public authority or other public body has its statutory seat.