



# 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).

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*Status: This is the original version (as it was originally enacted).*

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- (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.