



# Financial Services Act 2012

## 2012 CHAPTER 21

### PART 6

#### INVESTIGATION OF COMPLAINTS AGAINST REGULATORS

#### **86 Consultation in relation to, and publication of, complaints scheme**

- (1) Before making the complaints scheme, the regulators must publish a draft of the proposed scheme in the way appearing to them to be best calculated to bring it to the attention of the public.
- (2) The draft must be accompanied by notice that representations about it may be made to any of the regulators within a specified time.
- (3) Before making the proposed complaints scheme, the regulators must have regard to any representations made to any of them in accordance with subsection (2).
- (4) If the regulators make the proposed complaints scheme, they must publish an account, in general terms, of—
  - (a) the representations made to any of them in accordance with subsection (2), and
  - (b) their response to the representations.
- (5) If the complaints scheme differs from the draft published under subsection (1) in a way which is, in the opinion of the regulators, significant the regulators must (in addition to complying with subsection (4)) publish details of the difference.
- (6) The regulators must publish up-to-date details of the complaints scheme including, in particular, details of—
  - (a) the provision made under section 87(5), and
  - (b) the powers which the investigator has to investigate a complaint.
- (7) Those details must be published in the way appearing to the regulators to be best calculated to bring them to the attention of the public.
- (8) The regulators must notify the Treasury of the publication of details under subsection (6).

---

**Changes to legislation:** Financial Services Act 2012, Section 86 is up to date with all changes known to be in force on or before 22 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

---

- (9) A regulator may charge a reasonable fee for providing a person with a copy of—
- (a) a draft published under subsection (1), or
  - (b) details published under subsection (6).

- (10) Subsections (1) to (5) and (9)(a) also apply to a proposal to alter or replace the complaints scheme.

**Modifications etc. (not altering text)**

- C1** Ss. 84-86 applied by SI 2001/2326 art. 18(2) (as amended) (1.4.2013) by [The Financial Services Act 2012 \(Consequential Amendments and Transitional Provisions\) Order 2013 \(S.I. 2013/472\)](#), **Sch. 2 paras. 49(b)(bb)-(ff)**, (ii)

**Commencement Information**

- I1** [S. 86](#) in force at 24.1.2013 for specified purposes by [S.I. 2013/113](#), art. 2(1)(c), **Sch. Pt. 3**
- I2** [S. 86](#) in force at 1.4.2013 in so far as not already in force by [S.I. 2013/423](#), art. 3, **Sch.**

**Changes to legislation:**

Financial Services Act 2012, Section 86 is up to date with all changes known to be in force on or before 22 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.

[View outstanding changes](#)

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

- Act power to apply conferred (temp.) by [2014 c. 21 s. 79\(4\)](#)
- Act power to apply conferred (temp.) by [2014 c. 21 s. 81\(10\)](#)