
STATUTORY INSTRUMENTS

2001 No. 2326

The Financial Services and Markets Act
2000 (Transitional Provisions) (Ombudsman
Scheme and Complaints Scheme) Order 2001

The Ombudsman Scheme

Determination of relevant new complaints

7.—(1) Sections 228 to 230 apply in relation to a relevant new complaint as they apply in relation to a complaint of the kind mentioned in section 226(1) (compulsory jurisdiction), subject as follows.

(2) In determining, in relation to a relevant new complaint—

(a) what is fair and reasonable in all the circumstances of the case, for the purposes of section 228(2), and

(b) what amount (if any) constitutes fair compensation for the purposes of section 229(2)(a), an ombudsman is to take into account what determination the former ombudsman might have been expected to reach, and what amount (if any) might have been expected to be awarded by way of compensation, in relation to an equivalent complaint dealt with under the former scheme in question immediately before commencement.