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STATUTORY INSTRUMENTS

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**2014 No. 376**

**The Financial Services and Markets Act 2000  
(Consumer Credit) (Transitional Provisions) Order 2014**

**Meaning of “relevant person” in Chapter 2**

3.—(1) Article 30 (meaning of “relevant person” in Chapter 2) is amended as follows.

(2) The existing provision becomes paragraph (1).

(3) After that paragraph, insert—

“(2) Paragraph (3) applies where, before 1st April 2014, the OFT—

(a) had given a notice to a person (“A”) under section 32A(2)(1) of the 1974 Act (suspension of a standard licence) that it is suspending A’s licence, but

(b) had not determined under section 34ZA of that Act (representations to OFT: suspension under section 32A) whether or not to confirm such a decision.

(3) For the purposes of article 39 (suspension of licence where determination made before 1st April 2014 but not confirmed), and of paragraph (1) in so far as it defines “relevant person” for the purposes of that article—

(a) A is to be treated as holding a licence under the 1974 Act immediately before 1st April 2014, and

(b) section 32A of that Act (power to suspend licence) is to be treated as if subsection (5) did not apply at that time.

(4) Paragraph (5) applies where, before 1st April 2014—

(a) the OFT had—

(i) given a notice to a person (“B”) under section 32A(2) of the 1974 Act that it is suspending B’s licence, and

(ii) confirmed under section 34ZA of that Act its determination under section 32A of that Act, and

(b) either—

(i) B had submitted a notice of appeal to the First-tier Tribunal under section 41(2) of the 1974 Act (appeals to First-tier Tribunal under Part 3) with respect to that suspension, and the appeal had not been determined, or

(ii) B had not submitted such a notice of appeal, but the specified period in respect of an appeal against the suspension had not expired.

(5) For the purposes of article 40 (suspension of licence where determination made before 1st April 2014 and confirmed), and of paragraph (1) in so far as it defines “relevant person” for the purposes of that article—

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(1) Sections 32A and 34ZA inserted by the Financial Services Act 2012 (c.21), section 108.

(2) Section 41 was amended by the Enterprise Act 2002 (c. 40), Schedule 25, paragraph 6(21), the Consumer Credit Act 2006 (c. 14), sections 33, 43, 53 and 56 and Schedule 4, and S.I. 2001/3649 and 2009/1835.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (a) B is to be treated as holding a licence under the 1974 Act immediately before 1st April 2014, and
  - (b) section 32A of that Act (power to suspend licence) is to be treated as if subsection (5) did not apply at that time.
- (6) In this article, “specified period” has the meaning given in section 41 of the 1974 Act.”.