

## SCHEDULE 6

### Application and modification of legislation

## PART 1

### Application and modification of the 2000 Act

#### The Upper Tribunal

2. Part 9 of the 2000 Act (hearings and appeals) <sup>M1</sup> applies in respect of references to the Upper Tribunal made under these Regulations as it applies in respect of references made to the Upper Tribunal under that Act, with the following modifications—

- (a) section 133 (proceedings before Tribunal: general provision) is to be read as if for subsection (7A) there were substituted—

“(7A) A reference is a “disciplinary reference” for the purposes of this section if it is in respect of any of the following decisions under the Payment Services Regulations 2017—

- (a) a decision to publish a statement under regulation 110;  
(b) a decision to impose a penalty under regulation 111.”;
- (b) subsection (1) of section 133A (proceedings before Tribunal: decision and supervisory notices, etc.) is to be read as if “, as a result of section 388(2)” were omitted; and
- (c) section 133A is to be read as if subsection (5) were omitted.

#### Marginal Citations

**M1** Part 9 was amended by section 23 of the Financial Services Act 2012, paragraph 83 of Schedule 9 to the [Crime and Courts Act 2013 \(c. 22\)](#) and section 4 of the Financial Services (Banking Reform) Act 2013, and by [S.I. 2010/22](#), [2013/1388](#), [2014/3329](#) and [2016/680](#).

**Changes to legislation:**

The Payment Services Regulations 2017, Paragraph 2 is up to date with all changes known to be in force on or before 21 March 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 :**

- Regulations power to amend conferred by [2021 c. 22 s. 23](#)