



Financial Services (Banking Reform) Act 2013

2013 CHAPTER 33

PART 5

REGULATION OF PAYMENT SYSTEMS

Enforcement and appeals

77 Appeals to Competition Appeal Tribunal

- (1) This section applies where a person is appealing to the Competition Appeal Tribunal (“the Tribunal”) against a CAT-appealable decision.
- (2) The means of making an appeal is by sending the Tribunal a notice of appeal in accordance with Tribunal rules.
- (3) The notice of appeal must be sent within the period specified, in relation to the decision appealed against, in those rules.
- (4) In determining an appeal made in accordance with this section, the Tribunal must apply the same principles as would be applied by a court on an application for judicial review.
- (5) The Tribunal must either—
 - (a) dismiss the appeal, or
 - (b) quash the whole or part of the decision to which the appeal relates.
- (6) If the Tribunal quashes the whole or part of a decision, it may refer the matter back to the Payment Systems Regulator with a direction to reconsider and make a new decision in accordance with its ruling.
- (7) The Tribunal may not direct the Payment Systems Regulator to take any action which it would not otherwise have the power to take in relation to the decision.

Status: This is the original version (as it was originally enacted).

- (8) The effect of a decision to publish details under section 72(1) is suspended by the making of an appeal against the decision (and the details may not be published until the appeal has been determined).
- (9) The effect of any other CAT-appealable decision is not suspended by the making of an appeal against the decision.
- (10) In this section and section 78 “Tribunal rules” means rules under section 15 of the Enterprise Act 2002.