
STATUTORY INSTRUMENTS

2018 No. 1253

The Financial Services and Markets Act 2000
(Claims Management Activity) Order 2018

PART 3

Transitional provisions

CHAPTER 2

Authorisation and regulation of 2006 Act authorised persons

Applications for authorisation made to the Regulator: appeal of decision

42.—(1) This article applies where—

- (a) the Regulator gave notice to a person (“A”) under regulation 13(5) of the 2006 Regulations of the Regulator’s decision—
 - (i) to refuse to grant an authorisation to A; or
 - (ii) to grant an authorisation to A subject to a condition not sought by A; and
- (b) on 1st April 2019, the period within which an appeal relating to that decision may be made has not ended.

(2) The Regulator’s notice is to be treated as a decision notice given under section 55X(4)(f) of the 2000 Act⁽¹⁾, and the notice is to be read for that purpose—

- (a) as if any reference to the Regulator were a reference to the FCA; and
- (b) with any other necessary modifications.

(3) If, before 1st April 2019, A submitted notice of an appeal to the First-tier Tribunal under section 13 of the 2006 Act in respect of the Regulator’s decision, section 55Z3(1) of the 2000 Act⁽²⁾ (right to refer matters to the Tribunal) does not apply.

(1) Section 55X was inserted (together with the rest of Part 4A of the 2000 Act) by the Financial Services Act 2012 (c. 21), section 11(2).

(2) Section 55Z3 was inserted by the Financial Services Act 2012, section 11(2) and amended by [SI 2018/135](#).