



# Digital Markets, Competition and Consumers Act 2024

## 2024 CHAPTER 13

### PART 4

#### CONSUMER RIGHTS AND DISPUTES

#### CHAPTER 4

##### ALTERNATIVE DISPUTE RESOLUTION FOR CONSUMER CONTRACT DISPUTES

##### *Accreditation: procedure etc*

PROSPECTIVE

#### **297 Determination of applications for accreditation or variation of accreditation**

- (1) **This section** applies where an application for accreditation, or for the variation of an accreditation, has been made to the Secretary of State (and has not been withdrawn).
- (2) In the case of an application for accreditation, the Secretary of State must, as soon as is reasonably practicable—
  - (a) consider the application,
  - (b) decide whether—
    - (i) to grant the accreditation applied for,
    - (ii) to grant a more limited accreditation, or
    - (iii) to refuse the application, and
  - (c) give notice in writing to the applicant of the decision and, in the case of a decision mentioned in **paragraph (b)(ii) or (iii)**, the reasons for the decision.

*Status: This version of this provision is prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Digital Markets, Competition and Consumers Act 2024, Section 297. (See end of Document for details)*

- (3) Accreditation granted under [subsection \(2\)\(b\)\(ii\)](#) may be limited to such descriptions of ADR or such descriptions of special ADR arrangements (or both) as the Secretary of State considers appropriate and specifies in the accreditation.
- (4) If accreditation is granted, the Secretary of State may also decide to impose conditions on the accreditation.
- (5) The Secretary of State may only grant accreditation if satisfied that the accreditation criteria will be met by or in relation to the applicant after accreditation is granted.
- (6) An accreditation is not time limited unless—
  - (a) the Secretary of State determines that it is to have effect for a limited period, and
  - (b) the notice of the decision on the application states that the accreditation is time limited and specifies the period for which it has effect.
- (7) The notice of a decision to grant accreditation must specify the day on which the accreditation takes effect.
- (8) In the case of an application for the variation of an accreditation, the Secretary of State must, as soon as is reasonably practicable—
  - (a) consider the application,
  - (b) decide whether—
    - (i) to grant the application,
    - (ii) to vary the accreditation, but to a different extent than applied for, or
    - (iii) to refuse the application, and
  - (c) give notice in writing to the applicant of the decision and, in the case of a decision mentioned in [paragraph \(b\)\(ii\)](#) or [\(iii\)](#), the reasons for the decision.
- (9) If the Secretary of State decides to vary the accreditation under [subsection \(8\)\(b\)\(i\)](#) or [\(ii\)](#), the Secretary of State may also decide—
  - (a) to impose new conditions on the accreditation, or
  - (b) to vary or remove any existing condition on the accreditation.
- (10) The Secretary of State may only vary an accreditation if satisfied that the accreditation criteria will be met by or in relation to the applicant after the accreditation is varied.
- (11) A variation of an accreditation is not time limited unless the Secretary of State determines that the variation is to have effect only for a limited period and the notice of the decision on the application for variation—
  - (a) states that the variation is time limited (unless made permanent following a subsequent application by the ADR provider),
  - (b) specifies the period for which the variation has effect, and
  - (c) makes provision as to the terms of the accreditation in the event that the variation lapses at the end of that period.
- (12) The notice of a decision to vary an accreditation must specify the day on which the variation takes effect.
- (13) Where the Secretary of State decides—
  - (a) to impose conditions under [subsection \(4\)](#), or
  - (b) to impose new conditions, or to remove or vary any existing condition on the accreditation, under [subsection \(9\)](#),

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the notice of the decision on the relevant application must set out the conditions on the accreditation or the accreditation as varied, and give the Secretary of State's reasons for the decisions made under [subsection \(4\)](#) or [\(9\)](#) (as the case may be).

- (14) Where an accreditation covers the making of special ADR arrangements, conditions on the accreditation may be framed so as to secure that the accredited ADR provider is responsible for acts or omissions of other ADR providers who carry out ADR under special ADR arrangements made by the accredited ADR provider.

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**Commencement Information**

- II** S. 297 not in force at Royal Assent, see [s. 339\(1\)](#)

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**Changes to legislation:**

There are currently no known outstanding effects for the Digital Markets, Competition and Consumers Act 2024, Section 297.