
STATUTORY INSTRUMENTS

2001 No. 2476

The Financial Services and Markets Tribunal Rules 2001

PART II

PRELIMINARY MATTERS

Withdrawal of reference and unopposed references

14.—(1) The applicant may withdraw the reference—

- (a) at any time before the hearing of the reference, without permission, by filing a notice to that effect; or
- (b) at the hearing of the reference, with the Tribunal's permission,

and the Tribunal may determine any reference that is so withdrawn.

(2) The Authority may state that it does not oppose the reference or that it is withdrawing its opposition to it—

- (a) at any time before the hearing of the reference, without permission, by filing a notice to that effect; or
- (b) at the hearing of the reference, with the Tribunal's permission.

(3) In any case where—

- (a) the Authority makes a statement within paragraph (2)(a);
- (b) the Authority does not file a statement of case within the time limit imposed by rule 5(1) (or any such time limit as extended under rule 10(1)(d)); or
- (c) the applicant does not file a reply within any time limit imposed by rule 6(1) (or any such time limit as extended under rule 10(1)(d)),

the Tribunal may (subject to its power to give a direction pursuant to rule 10(5)) determine the reference without an oral hearing in accordance with rule 16, but it shall not dismiss a reference without notifying the applicant that it is minded to do so and giving him an opportunity to make representations.

(4) When determining proceedings pursuant to paragraph (1) or (3), the Tribunal may make a costs order under rule 21.