
STATUTORY INSTRUMENTS

2008 No. 668

The Consumer Credit Appeals Tribunal Rules 2008

PART 3

Initiating an appeal

Notice of appeal

15.—(1) An appeal must be made by way of a notice of appeal signed, dated and filed by the appellant.

(2) Subject to paragraph (3) a notice of appeal must be filed not later than 28 days after the date on which the appellant receives notification of the Regulator’s decision.

(3) An appellant may request a direction under rule 3 (directions) to allow the appeal to be made later than the time limit under paragraph (2).

(4) The notice of appeal must state—

- (a) the name and address of the appellant;
- (b) the name and address of the appellant’s representative (if any);
- (c) an address for service;
- (d) whether the notice of appeal concerns the bringing of an appeal under—
 - (i) the 1974 Act; or
 - (ii) the 2007 Regulations;
- (e) the grounds upon which the appeal should be granted in the appellant’s favour; and
- (f) the remedy sought by the appellant.

(5) The appeal notice must be accompanied by a list of all of the documents the appellant relies on in support of the appeal.

(6) In paragraph (4)(a), “address” in respect of—

- (a) a company means the address of the registered or principal office;
- (b) a partnership means the address of the principal or last known place of business of the firm.

(7) Where a representative, other than a legal representative, is named under paragraph (4)(b) and the appeal notice is signed by that representative on behalf of the appellant, a statement that the representative is authorised to act on the appellant’s behalf must be—

- (a) filed with the appeal notice; and
- (b) signed by the appellant or where the appellant is not an individual, by an individual authorised by the appellant (not being the representative under paragraph (4)(b)).

(8) Unless it is not possible, a copy of the decision being appealed must be filed with the notice of appeal.

(9) The appellant may include a request for directions under rule 3 (directions) with the notice of appeal.

(10) At the same time as filing the notice of appeal, the appellant must serve a copy of that notice and any accompanying documents, including any request for directions (unless rule 5(4) applies), on the Regulator.

(11) The Tribunal must—

- (a) in accordance with rule 14 enter the particulars of the appeal in the register;
- (b) inform the parties in writing that a notice of appeal has been received; and
- (c) inform the parties in writing of any determination made in relation to a request for a direction.

Regulator's statement of case

16.—(1) The Regulator must file a statement of case in accordance with this rule.

(2) The Regulator must file a statement of case no later than 28 days after the date on which the Regulator receives the information from the Tribunal in accordance with rule 15(11)(b).

(3) The Regulator may request a direction under rule 3 (directions) to allow the statement of case to be filed later than the time limit under paragraph (2).

(4) The statement of case must—

- (a) indicate whether the Regulator considers that the appeal should be allowed or refused and provide reasons;
- (b) indicate whether the Regulator intends to take an active part in the proceedings;
- (c) specify the name and address of the Regulator's representative (if any);
- (d) identify an address for service and an individual contact at that address;
- (e) be signed by a person authorised by the Regulator.

(5) The statement of case must be accompanied by—

- (a) a list of the documents relied on by the Regulator; and
- (b) a copy of the Regulator's decision if not filed by the appellant under rule 15(8) (notice of appeal).

(6) The Regulator may include a request for directions with the statement of case.

(7) At the same time as the Regulator files the statement of case, the Regulator must serve on an appellant a copy of the statement of case and any document accompanying the statement of case, including any request for directions (unless rule 5(4) applies).

(8) The Tribunal must inform the parties in writing of any determination made in relation to a request for a direction.