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STATUTORY INSTRUMENTS

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**2014 No. 3085**

**The Immigration Act 2014 (Bank Accounts) Regulations 2014**

**PART 7**

**The Tribunal**

**The Tribunal**

**30.**—(1) Part 9 (hearings and appeals) of the 2000 Act<sup>(1)</sup> applies with respect to proceedings pursuant to references to the Tribunal under these Regulations (“relevant proceedings”) as it applies to proceedings pursuant to references to the Tribunal under that Act, with the following modifications.

(2) Section 133 (proceedings before the Tribunal: general provision) of the 2000 Act applies in relation to relevant proceedings as if—

- (a) references to decisions included references to decisions of the FCA only, and
- (b) any of the following decisions was a “disciplinary reference” within the meaning of subsection (7A)—
  - (i) a decision to publish a statement under regulation 15 (public censure) or 16 (statement of misconduct),
  - (ii) a decision to impose a penalty under regulation 17 (financial penalties),
  - (iii) a decision to impose a restriction on a permission under regulation 18 (restrictions on permission to carry on regulated activities);
  - (iv) a decision to impose a suspension of or restriction on an approval under regulation 19 (suspension of and restrictions on approval to carry on functions);

(3) Section 133A (proceedings before Tribunal: decision and supervisory notices, etc.) of the 2000 Act applies as if—

- (a) for subsection (1) there were substituted—

“(1) In determining in accordance with section 133(5) (as applied by the Immigration Act 2014 (Financial Services) Regulations 2014) a reference made as a result of a decision notice given by the FCA, the Tribunal may not direct the FCA to take action which it would not, under the Immigration Act 2014 (Financial Services) Regulations 2014, have had power to take when giving the notice.”; and

- (b) in subsection (5) the words “or the PRA” were omitted;

(4) Section 133B (offences) of the 2000 Act applies as if references to decisions included references to decisions of the FCA only.

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(1) Part 9 is amended by section 23 of the Financial Services Act 2012, section 4 of the Financial Services (Banking Reform) Act 2013, paragraph 83 of Schedule 9 to the Crime and Courts Act 2013 (c.22), [S.I. 2010/22](#) and [S.I. 2013/1388](#).