
STATUTORY INSTRUMENTS

2014 No. 514

The Tribunal Procedure (Amendment) Rules 2014

Amendments to the Tribunal Procedure (Upper Tribunal) Rules 2008

13. In Schedule 3—

- (a) in paragraph 1 (interpretation), in the definition of “reference notice”, after “financial services case” insert “or a wholesale energy case”;
- (b) after the definition of “the 2000 Act” insert—

“;

“the 2013 Regulations” means the Electricity and Gas (Market Integrity and Transparency) (Enforcement etc.) Regulations 2013;

“the 2013 (NI) Regulations” means the Electricity and Gas (Market Integrity and Transparency) (Enforcement etc.) Regulations (Northern Ireland) 2013.”

- (c) in paragraph 3 (register of references etc)—

- (i) in sub-paragraph (1), after “financial services cases” insert “and wholesale energy cases”;

- (ii) in sub-paragraph (3), for the words from “in particular to” to the end, substitute—
“in particular to—

- (a) any unfairness to the applicant or, except as regards a reference in respect of a decision of the Prudential Regulation Authority, any prejudice to the interests of consumers that might otherwise result;

- (b) as regards a reference in respect of a decision of the Financial Conduct Authority, any detriment to the stability of the UK financial system;

- (c) as regards a reference in respect of a decision of the Prudential Regulation Authority, any prejudice to the safety and soundness of persons authorised by it, or where section 2C of the 2000 Act applies, any prejudice to securing the appropriate degree of protection for policy holders; or

- (d) as regards a reference under the 2013 Regulations or the 2013 (NI) Regulations any detriment to the stability of the wholesale energy market as defined in those Regulations.”;

- (d) in paragraph 7 (exceptions to disclosure), in sub-paragraph (9), at the end insert “or regulation 52(2) of the 2013 Regulations or regulation 51(2) of the 2013 (NI) Regulations”;

- (e) in paragraph 9 (references by third parties)—

- (i) in sub-paragraph (1), after “2000 Act” insert “, regulation 40 of the 2013 Regulations or regulation 40 of the 2013 (NI) Regulations”;

- (ii) in sub-paragraph (2)(a), after “2000 Act” insert “, regulation 40(9) of the 2013 Regulations or regulation 40(9) of the 2013 (NI) Regulations”;

- (iii) in sub-paragraph (2)(b), after “2000 Act” insert “, regulation 40(11) of the 2013 Regulations or regulation 40(11) of the 2013 (NI) Regulations”;

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- (iv) in sub-paragraph (3), after “2000 Act” insert “, regulation 40(11) of the 2013 Regulations or regulation 40(11) of the 2013 (NI) Regulations”;
- (v) in sub-paragraph (4), after “2000 Act” insert “, regulation 40(9) or, as the case may be, regulation 40(11) of the 2013 Regulations, or regulation 40(9) or, as the case may be, regulation 40(11) of the 2013 (NI) Regulations”.