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STATUTORY INSTRUMENTS

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**2015 No. 1945**

The Small and Medium Sized Business  
(Credit Information) Regulations 2015

PART 6

Monitoring of compliance and enforcement

CHAPTER 8

Referral to the Tribunal

**The Tribunal**

**46.**—(1) Part 9 (hearings and appeals) of the 2000 Act<sup>(1)</sup> applies with respect to proceedings pursuant to references to the Upper Tribunal under regulation 45 (“relevant proceedings”) as it applies to proceedings pursuant to references to the Upper Tribunal under that Act, with the following modifications.

(2) Section 133 (proceedings before the Tribunal: general provision) applies as if—

(a) in subsection (1)—

(i) there were omitted “(whether made under this or any other Act)”;

(ii) in paragraph (a) “or the PRA” were omitted;

(iii) paragraphs (b) and (c) were omitted;

(b) in subsection (2) “, (b) or (c)” were omitted;

(c) for subsection (7A) there were substituted—

“(7A) A reference is a “disciplinary reference” for the purposes of this section if it is in respect of any of the following decisions—

(a) a decision to publish a statement under regulation 28 (public censure) of the Small and Medium Sized Business (Credit Information) Regulations 2015;

(b) a decision to impose a penalty under regulation 29 of those Regulations (financial penalties);

(c) a decision to impose a limitation on a permission under regulation 30 of those Regulations (limitations on permission to carry on regulated activities).”.

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

(a) the words “(whether under this or any other Act)” were omitted in each place;

(b) in subsection (1) “, as a result of section 388(2),” were omitted;

(c) in subsection (5) the words “or the PRA” were omitted.

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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.

- (4) Section 133B(1) (offences) applies as if—
- (a) in paragraph (a), “or the PRA” were omitted;
  - (b) paragraphs (b) and (c) were omitted.