
STATUTORY INSTRUMENTS

2017 No. 752

The Payment Services Regulations 2017

PART 11

General

Contracting out of statutory requirements

Prohibition on contracting out of statutory requirement

137.—(1) A payment service provider may not agree with a payment service user that it will not comply with any provision of these Regulations unless—

- (a) such agreement is permitted by these Regulations, or
 - (b) such agreement provides for terms which are more favourable to the payment service user than the relevant provisions of these Regulations.
- (2) A contractual term is void if and to the extent that—
- (a) the term is agreed in contravention of paragraph (1), or
 - (b) the term relates to a transaction alleged to have been unauthorised or defectively executed, and purports to—
 - (i) impose liability to provide compensation on a different person from the person identified in these Regulations, or
 - (ii) allocate the burden of proof to a different person from the person identified in these Regulations.

Changes to legislation:

The Payment Services Regulations 2017, Cross Heading: Contracting out of statutory requirements is up to date with all changes known to be in force on or before 22 May 2024.

There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations power to amend conferred by [2021 c. 22 s. 23](#)