
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.