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STATUTORY INSTRUMENTS

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**2018 No. 1253**

**The Financial Services and Markets Act 2000  
(Claims Management Activity) Order 2018**

**PART 3**

Transitional provisions

**CHAPTER 2**

Authorisation and regulation of 2006 Act authorised persons

**Cancellation of authorisation by the Regulator: appeal of decision**

**46.—**(1) This article applies where—

- (a) the Regulator gave written notice to a relevant person (“B”) under regulation 47(1) of the 2006 Regulations of a decision to cancel B’s authorisation; and
- (b) on 1st April 2019—
  - (i) the period within which an appeal relating to that decision may be made has not ended; or
  - (ii) an appeal submitted to the First-tier Tribunal by B before that date has not been determined.

(2) For the purposes only of an appeal in respect of the Regulator’s decision, the Regulator’s notice is to be treated—

- (a) where, immediately before 1st April 2019, B is not a 2000 Act authorised person, as a decision notice given under section 55Z(2) of the 2000 Act;
- (b) where, immediately before 1st April 2019, B is a 2000 Act authorised person, as written notice given by the FCA under section 55Y(7) of that Act.

(3) For the purposes of paragraph (2)—

- (a) where the notice is treated as written notice under section 55Y(7) of the 2000 Act, it is immaterial that it does not comply with subsection (9) of that section; and
- (b) the notice is to be read—
  - (i) as if any reference to the Regulator were a reference to the FCA; and
  - (ii) with any other necessary modifications.

(4) If, before 1st April 2019, B submitted notice of an appeal to the First-tier Tribunal under section 13 of the 2006 Act in respect of the Regulator’s decision, section 55Z3(1) of the 2000 Act does not apply.