# **CUMULATIVE INDEX**

# **CASES REPORTED**

American Express Services Limited v Brandon	Part 4	Page <i>139</i>
Anton Teasdale & Ors v HSBC Bank plc & Ors	1	19
Armstrong v American Express Services Europe Limited	4	129
Barry Soulsby & Lynne Soulsby v Firstplus Financial Group plc & Anr	5	177
Black Horse Limited v Speak & Speak	5	211
Brophy v HFC Bank plc	1	10
The Civil Aviation Authority v Travel Republic Limited	2	61
Dorset County Council v David House	4	158
In the Pink Limited v Leeds Magistrates' Court	3	93
Kneale v Barclays Bank plc (trading as Barclaycard)	6	233
New Look Retailers Limited v LFEPA	3	101
R v Elizabeth Lee	3	77
R v West Lindsey District Council & Lincoln Magistrates' Court	2	41
Richard Durkin v DSG Retail Limited and HFC Bank plc	6	252
Robert Shaw v Nine Regions Limited	1	1
Southern Pacific Securities 05-2 plc v Walker & Anr	4	150
Sternlight v Barclays Bank plc	3	115
Stockton-on-Tees BC v Fidler & Ors	5	186
Welcome Financial Services Limited v Nine Regions Limited	2	53

# SUBJECT MATTER INDEX

# Civil Procedure

Civil procedure – costs – discontinued claims – rebutting presumption of liability for costs on discontinuance – requirement to show 'good reason' – meaning of 'change of circumstances'

Anton Teasdale & Ors v HSBC Bank plc & Ors [2010] CTLC 19

#### Civil Procedure

Civil procedure – costs – discontinued claims – rebutting presumption of liability for costs on discontinuance – requirement to show 'good reason' – meaning of 'change of circumstances'

Anton Teasdale & Ors v HSBC Bank plc & Ors [2010] CTLC 19

Civil Procedure Rules – Rule 36.16 – pre-action disclosure – interpretation of the test – request for a copy of consumer credit agreement to determine enforceability Kneale v Barclays Bank plc (trading as Barclaycard) [2010] CTLC 233

### Consumer Credit

Loan agreements – early repayment – statutory rebate – unfair relationships Robert Shaw v Nine Regions [2010] CTLC 1

Consumer Credit Act 1974 – Consumer Credit (Agreements) Regulations 1983 – credit card application form – whether an agreement – requirement to state the credit limit

Brophy v HFC Bank [2010] CTLC 10

Hire Purchase Act – nemo dat quod non habet – distinction between 'private purchaser' and 'trader or finance purchaser' – requirement to look at all purposes of purchaser

Welcome Financial Services Limited v Nine Regions Limited [2010] CTLC 53

Consumer Credit Act 1974 – Consumer Credit (Agreements) Regulations 1983 – alleged misstatement of rate of interest – discrepancy between APR and rate of interest – rate of interest as a term of the agreement Sternlight v Barclays Bank plc [2010] CTLC 115

Prescribed terms – changing of compound interest on outstanding credit card balance – estoppel by representation

Armstrong v American Express Services Europe Limited [2010] CTLC 129

Inclusion of prescribed terms – services and contents of default notices under section 87 – penalty charges

American Express Services Limited v Brandon [2010] CTLC 139

Consumer Credit (Total Charge for Credit) Regulations 1980 – Consumer Credit (Agreements) Regulations 1983 – meaning of the word "credit" in s9 Consumer Credit Act 1974

Southern Pacific Securities 05-2 plc v Walker & Anr [2010] CTLC 150

Payment protection insurance – contracts "uberrimae fidei" – fiduciary relationships commencement and application of unfair relationship test under Consumer Credit Act 1974

Barry Soulsby & Lynne Soulsby v Firstplus Financial Group plc & Anr [2010] CTLC 177

Payment protection insurance – alleged mis-selling – Consumer Credit (Total Charge for Credit) Regulations 1980 – breach of Insurance Conduct Of Business rules – unfair relationship

Stockton-on-Tees BC v Fidler & Ors [2010] CTLC 186

Consumer Credit Act 1974 – section 75(1) "like claim" – applicability of section 75 to right to rescind credit agreement – propriety of reports to credit reference agencies Richard Durkin v DSG Retail Limited and HFC Bank plc [2010] CTLC 252

## Food Hygiene

Food hygiene – fishery products – approval by food authority – transfer of approval on change of ownership – premises – definition of 'establishment' – transitional provisions

R v West Lindsey District Council & Lincoln Magistrates' Court [2010] CTLC 41

# Hackney Carriage Licences

Town Police Clauses Act 1847 – Local Government (Miscellaneous Provisions) Act 1976 – meaning of "hackney carriage" and "private hire vehicle" Stockton-on-Tees BC v Fidler & Ors [2010] CTLC 186

#### Health and Safety

Interpretation of Regulatory Reform (Fire Safety) Order 2005 – Sentencing of offences under Article 32 – Appropriate method of setting fines – Comparison with provisions of Health and Safety Act 1974

New Look Retailers Limited v LFEPA [2010] CTLC 101

### Licensing

Permission to appeal – Licensing conditions imposed by Magistrates Court – Intention of the Magistrates in reaching decision
In the Pink Limited v Leeds Magistrates Court & Ors [2010] CTLC 93

#### Livestock

Cattle Identification Regulations 1998 – Cattle Database Regulations 1998 – Council Regulation (EC) No 820/97 – Council Regulation (EC) No 1716/2000 – retrospectivity of replacement European Regulations giving rise to criminal liability Dorset County Council v David House [2010] CTLC 158

#### Medicines

Medicines Act 1968 – interpretation – meaning of 'in the course of a business carried on by him' – substitution of conviction *R v Elizabeth Lee* [2010] CTLC 77

### Travel Law

Holidays – Travel Agents – ATOL Licensing – Meaning of 'package holiday' – Burden of proof

The Civil Aviation Authority v Travel Republic Limited [2010] CTLC 61