

FINANCIAL SERVICES

Consumer Credit Promotions. On 29 April 2026 the FCA issued CP26/15 on financial promotions in CONC.

Consumer Credit Briefing. On 10 April 2026 House of Commons Library briefing considered Government plans to change the 1974 Act. The proposals were reflected in a FSMA Bill.

Sanctions. A mortgagee's possession claim was not defeated by the fact the mortgagee was a designated person under Sanctions Regulations 2019 (*West One Loan Ltd v Okroyan* [2026] EWHC 1428 (Ch)).

FOS – Affordability. In a judicial review of a FOS decision the FCA intervened to oppose the FOS position. Customers complained that there was an unfair relationship largely due to extending unaffordable credit facilities, by way of overdraft or credit card. Four banks submitted the complaints were out of time. The conclusion was that there was a fundamental error in the assertion of jurisdiction over the entire credit relationship was decisively against FOS for the purposes of Section 31(2A). Each of the four jurisdiction decisions by the individual ombudsman were quashed. (*Barclays Bank v FOS* [2026] EWHC 1555 (Admin)).

Multi-Party Claims. The Court of Appeal held that a Judge had not been wrong in the exercise of discretion that there were common issues of law and fact in over 5000 claims (*Black Horse Ltd v Angel* [2026] EWCA Civ 831).

New Legislation. On 25 May 2026 the Financial Services of Markets Bill was introduced. It will recast much of the 1974 act into FCA rules.

FOOD

CPUT. The ECJ has held that CPUT offences under national legislation are in addition to Food Information Consumers (Lidl Italy v Italian Competition Authority (EU: C2026 : 35)).

Levies. The High Court upheld some challenges to the levies imposed by the Food Standards Authorities in respect of slaughterhouse controls (*R(A IMS) v FSA* [2026] EWHC 1327 (Admin)).

PACKAGE TRAVEL

Amending Regulations. The Packaged Travel and Linked Travel Arrangements (Amendment) Regulations 2026 came into force on 06 April 2026.

ADVERTISING

Burden of Proof. The burden of proving that the site owner has given permission for the placement of adverts was on the Defendant on a balance of probabilities (*Fantasia Productions v Redbridge LBC* (04 March 2026)).

CONSUMER PROTECTION

Fraudulent Trading. The Court of Appeal (Criminal Division) dismissed an appeal in respect of selling loft insulation and ancillary services. Generally, the work had been done but it was mis-sold as regards matters such as the quality of current insulation and the need for urgent work to avoid the 14-day cooling-off provisions. The relationship with contraventions of the CPUT 2008 Regulations was an issue. (*R v Beckett* [2026] EWCA Crim 462).

HOUSING

Mortgages. A mortgagee in possession became the "landlord" as regards an occupation contract so that it was subject to the registration and licensing provisions of the Housing (Wales) Act 2014 (*Kensington Mortgage Co Ltd v Price* [2026] EWHC 1577 (Ch)).

CONSUMER CONTRACTS

New Contracts. In a dispute as to jurisdiction within Section 15B and E of the Civil Jurisdiction etc Act 1982 (inserted after Brexit) to adopt Articles 17 to 19 of Regulation EU 1215/2012 the issue arose as to whether changes to a consumer contract were sufficient to mean a new contract was concluded. It was accepted the claimant was a consumer relying on a banking contract being concluded at a time he was domiciled in the UK in 2016 when new terms were agreed. The bank claimed that 1994 was the relevant date when the contract was originally entered into and so there was no jurisdiction because the bank was not carrying on relevant activities in or directed to the UK. The Court of Appeal upheld the Judge's decision that there had been a new contract in 2016 (*Sheikh Mohammed v Bank Audi SAL* [2026] EWCA Civ 551).

GAMING

Illegal Gaming. The DCMS on 13 May 2026 published guidance on the Illegal Gambling Taskforce.