



Reference Nos. UT-2026-000045
UT-2026-000046
UT-2026-000047
UT-2026-000048

IN THE UPPER TRIBUNAL
TAX AND CHANCERY CHAMBER

B E T W E E N

(1) CA AUTO FINANCE UK LIMITED
(2) CONSUMER VOICE LIMITED
(3) MERCEDES-BENZ FINANCIAL SERVICES UK LIMITED
(4) VOLKSWAGEN FINANCIAL SERVICES (UK) LIMITED

Applicants

-and-

FINANCIAL CONDUCT AUTHORITY

Respondent

DIRECTIONS

UPON the applications for review filed by the Applicants under section 404D of the Financial Services and Markets Act 2000 (“**FSMA**”) in respect of the rules published by the Respondent on 30 March 2026 to establish the Motor Finance Consumer Redress Schemes (the “**Rules**”) (the “**Application(s)**”)

AND UPON the Respondent confirming that it will notify firms who are subject to the Rules, and who have communicated with the FCA in respect of the Applications, of the deadline in paragraph 4 of this Order

AND UPON hearing from Leading Counsel for each of the Applicants and for the Respondent

IT IS DIRECTED that:

1. The Application of the Second Applicant shall be joined and case managed together with the other Applications.

2. The applications by the First, Third and Fourth Applicants for permission to bring a challenge to the Rules under section 404D(3)-(4) FSMA are adjourned to a rolled-up hearing at which the Tribunal will consider whether permission should be granted and if so at which the Applications will be determined.
3. The Second Applicant's application for permission to bring a challenge to the Rules under section 404D(3)-(4) FSMA shall be considered further at a case management hearing and determined at that hearing or determined at the rolled-up hearing.
4. Any person who wishes to be added as an Interested Party (under Rule 9 of the Tribunal Procedure (Upper Tribunal) Rules 2008) must make a reasoned application to the Upper Tribunal for their addition within 28 days after the date this Direction is published on the FCA's website in accordance with paragraph 6 below. Such an application must not exceed 10 pages, and must be served on the Applicants and the Respondent.
5. Any application made pursuant to paragraph 4 above must identify the extent to which the person applying to be added as an Interested Party wishes to participate in the proceedings. In particular, whether the Interested Party wishes to (i) file and serve a Statement of Case; (ii) adduce evidence at the hearing of the Applications; or (iii) make written or oral submissions at the hearing of the Applications.
6. Within 14 days of service of an application made under paragraph 4 above, the Applicants and the Respondent may, if so advised, file and serve written submissions in support of or resisting the application. Subject to any further directions by the Tribunal, any applications will be determined on the papers.
7. The FCA shall publish on its website copies of the Applications, in the case of the Second Applicant being its Application on Form FTC 3 together with its Statement of Facts and Grounds, copies of this Direction and copies of pleadings and directions of the Tribunal made on or after 30 June 2026. Any Applicant or the Respondent may apply to the Tribunal for further directions in relation to this requirement.
8. By 5 p.m. on 6 July 2026, the Respondent shall file and serve:
 - a. its Statement of Case in response to the Applications. The Respondent is permitted to rely on a single Statement of Case which addresses each of the Applications if so advised; and
 - b. any witness evidence on which it relies.
9. By 5 p.m. on 13 July 2026, the Respondent shall, in accordance with its duty of candour, file and serve a list of any documents in the Respondent's control (i) on which the Respondent relies or (ii) which might

undermine its case, adversely affect another party's case, or support another party's case or (iii) which may otherwise be relevant to the issues before the Upper Tribunal and provide copies of those documents to the Applicants.

10. By 5 p.m. on 28 August 2026, the Applicants shall file and serve:
 - a. any Reply to the Respondent's Statement of Case;
 - b. any witness evidence or additional witness evidence on which they rely;
 - c. any application for permission to adduce expert evidence (an "**Expert Evidence Application**"); and
 - d. any application for further disclosure to be provided by the Respondent (a "**Disclosure Application**").
11. By 5 p.m. on 11 September 2026, the Respondent shall file and serve its response and any evidence in response to any Expert Evidence Application and any Disclosure Application.
12. By 5 p.m. on 21 September 2026:
 - a. The Applicants shall file and serve any reply and any evidence in reply to the Respondent's response under paragraph 11 above.
 - b. The Respondent shall file and serve any further witness evidence in response to the evidence served by the Applicants under paragraph 10(b) above.
13. There shall be a further case management hearing ("**CMH 2**") fixed on 5 and 6 October 2026 (subject only to Tribunal availability) with a time estimate of 2 days for the determination of any Expert Evidence Application, any Disclosure Application and other case management issues.
14. The Tribunal will give further directions for the Applications at CMH 2, including directions for expert evidence and disclosure in so far as necessary.
15. The hearing of the Applications will be listed either for 5 days commencing 14 December 2026 or 9 days commencing 16 February 2027 (subject only to Tribunal availability) depending on the outcome of any Expert Evidence Application and any Disclosure Application. The hearing date will be confirmed following CMH 2.

**Mr Justice Thompsell
Upper Tribunal Judge Cannan**

Release date: 1 July 2026