

From: MacLeod, John
To:
Date:
Subject: National Payments Plan - Consultation

I realise the Consultation closure date for the above has passed, but I have only today traced your Plan (the OFT website link to yourselves was removed some time ago).

From the viewpoint of an academic consumer lawyer, the most important issue, which crosses all/most methods of payment, but is not consistently dealt with in your Draft, is:

Who bears the risk of loss of money in transmission (cf Consumer Credit Act 1974, s 84)?
Intelligent/guided consumers should only want to use a particular form of payment transmission which minimises their risk of individual liability for lost payments. Could you enhance your treatment of this issue in the final document?

Prof. JK Macleod (20.2.08)