

**[Your Address]**

**[Date]**

**[Your Bank Branch's Address]**

Dear Sir/Madam

Regarding: **[Your Account Number. Your Sort Code.]**

Due to recent media coverage on bank charges I now believe that you, **[your bank's name]** have been charging me charges that are contrary to the Unfair Terms in Consumer Contracts Regulations 1999. Schedule 2 (e) of the said regulations gives a non-complete list of terms, which may be regarded as unfair, such as a term that requires me as a consumer who fails in his obligation, to pay a disproportionately high sum in compensation.

I believe that your charges are disproportionately high and therefore they are contrary to the Unfair Terms in Consumer Regulations 1999. In addition I believe that your charges are a Penalty. Penalty charges are irrecoverable at common law. The precedent for this was Dunlop Pneumatic Tyre Co Ltd v New Garage and Motor co Ltd [1915] AC 79 along with Murray v. Leisure play [2005] EWCA Civ 963. It was held that a contractual party can only recover damages for an actual loss or liquidated losses. It is clear that your charges do not reflect any actual and or real loss.

Furthermore if you fail to comply with this letter, I request without further notice a breakdown and proof of all costs involved, in regards to your actual or liquidated losses involved in any breach of contract to which these charges relate with yourselves, and that these charges reflect your true costs in relation to the said charges, and are proportionate to the charges levied on my account as defined in Unfair Terms in Consumer Contracts Regulations 1999. Schedule 2 (e).

Therefore I require you to refund me a total of £**[XXX.XX]**, representing the total, unlawful amount charged during the last 6 years.

I hereby give you 14 days to refund the charges back on to my account. For the avoidance of doubt, if this is not done within 14 days, I will commence my claim in the courts without further warning. This action will inevitably involve you in additional costs.

I also hereby request a detailed report of which clause in your terms and conditions each charge has been applied against.

Yours sincerely,

**[Sign here]**

**[Print your name here]**