

Status: Point in time view as at 18/06/2001. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: Financial Services and Markets Act 2000, Cross Heading: Exemption from liability in damages is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

THE FINANCIAL SERVICES AUTHORITY

Modifications etc. (not altering text)

C1 Sch. 1 extended (17.8.2001) by S.I. 2001/2617, arts. 2(a), 4(3), 8, Sch. 2 para. 2

PART IV

MISCELLANEOUS

Modifications etc. (not altering text)

C1 Sch. 1 Pt. 4 modified (15.12.2007) by The Transfer of Funds (Information on the Payer) Regulations 2007 (S.I. 2007/3298), reg. 4(4)

C1 Sch. 1 Pt. 4 applied (27.11.2008) by Counter-Terrorism Act 2008 (c. 28), ss. 62, 100(2), Sch. 7 para. 41(1) (with s. 101(2), Sch. 7 para. 43)

Exemption from liability in damages

- 19 (1) Neither the Authority nor any person who is, or is acting as, a member, officer or member of staff of the Authority is to be liable in damages for anything done or omitted in the discharge, or purported discharge, of the Authority's functions.
- (2) Neither the investigator appointed under paragraph 7 nor a person appointed to conduct an investigation on his behalf under paragraph 8(8) is to be liable in damages for anything done or omitted in the discharge, or purported discharge, of his functions in relation to the investigation of a complaint.
- (3) Neither sub-paragraph (1) nor sub-paragraph (2) applies—
- if the act or omission is shown to have been in bad faith; or
 - so as to prevent an award of damages made in respect of an act or omission on the ground that the act or omission was unlawful as a result of section 6(1) of the ^{M1}Human Rights Act 1998.

Modifications etc. (not altering text)

C1 Sch. 1 para. 19 extended (1.12.2001) by S.I. 2001/3650, arts. 1(a), 24(6)

C2 Sch. 1 para. 19 modified (6.3.2008) by The Regulated Covered Bonds Regulations 2008 (S.I. 2008/346), reg. 45

C3 Sch. 1 para. 19 modified (2.3.2009) by The Payment Services Regulations 2009 (S.I. 2009/209), regs. 1(2)(a), 94 (with reg. 3)

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- C4** Sch. 1 para. 19 applied (11.2.2010) by The Cross-Border Payments in Euro Regulations 2010 (S.I. 2010/89), **reg. 15**
- C5** Sch. 1 para. 19 extended (9.2.2011 for certain purposes, otherwise 30.4.2011) by The Electronic Money Regulations 2011 (S.I. 2011/99), regs. 1(2)(a)(xiii)(b), **61** (with art. 3)
- C6** Sch. 1 para. 19(1) applied (1.12.2001) by S.I. 1995/1537, **reg. 23(1)** (as amended (1.12.2001) by S.I. 2001/3649, **arts. 1, 509(b)(i)**)

Marginal Citations

- M1** 1998 c. 42.

VALID FROM 24/02/2003

[^{F1}
F119A

For the purposes of this Act anything done by an accredited financial investigator within the meaning of the Proceeds of Crime Act 2002 who is—

- (a) a member of the staff of the Authority, or
- (b) a person appointed by the Authority under section 97, 167 or 168 to conduct an investigation,

must be treated as done in the exercise or discharge of a function of the Authority.]]

Textual Amendments

- F1** Sch. 1 para. 19A inserted (24.2.2003) by Proceeds of Crime Act 2002 (c. 29), ss. 456, 458(1), **Sch. 11 para. 38**; S.I. 2003/120, **art. 2**, Sch. (subject to arts. 3-7) (as amended by S.I. 2003/333, art. 14)

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