
DRAFT STATUTORY INSTRUMENTS

2019 No.

**The Electronic Commerce and Solvency 2
(Amendment etc.) (EU Exit) Regulations 2019**

PART 4

Transitional provisions: temporary exclusion from general prohibition

Regulation

Public censure

22.—(1) If the FCA considers that a relevant incoming provider—

- (a) has not notified it in accordance with regulation 13 or 14, or
- (b) has acted in a manner which it considers contrary to the advancement of its objectives under Part 1A of the 2000 Act,

the FCA may publish a statement to that effect.

(2) If the FCA proposes to publish a statement under paragraph (1), it must give the provider a warning notice.

(3) The warning notice must—

- (a) set out the terms of the proposed statement;
- (b) state that the relevant incoming provider may make representations in response to the notice.

(4) If, having considered any representations made in response to a warning notice, the FCA decides to publish a statement under paragraph (1) (whether or not in the terms proposed), it must without delay give the person a decision notice.

(5) The decision notice must set out the terms of the statement.

(6) Section 393 of the 2000 Act (third party rights) applies in respect of giving notices under this regulation as it applies in respect of giving notices under the 2000 Act.