

*Draft Regulations laid before Parliament under paragraph 1(1) of Schedule 7 to the European Union (Withdrawal) Act 2018, for approval by resolution of each House of Parliament.*

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DRAFT STATUTORY INSTRUMENTS

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**2021 No.**

**EXITING THE EUROPEAN UNION  
FINANCIAL SERVICES AND MARKETS**

**The Financial Markets and Insolvency (Transitional  
Provision) (EU Exit) (Amendment) Regulations 2021**

*Made* - - - - **\*\*\***  
*Coming into force* - - **\*\*\***

The Treasury, in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018<sup>(1)</sup>, make the following Regulations.

A draft of these Regulations has been laid before, and approved by a resolution of, each House of Parliament in accordance with paragraph 1(1) of Schedule 7 to the European Union (Withdrawal) Act 2018.

**Citation and commencement**

1.—(1) These Regulations may be cited as the Financial Markets and Insolvency (Transitional Provision) (EU Exit) (Amendment) Regulations 2021.

(2) These Regulations come into force on the day after the day on which these Regulations are made.

**Cessation of temporary designation**

2.—(1) The Financial Markets and Insolvency (Amendment and Transitional Provision) (EU Exit) Regulations 2019<sup>(2)</sup> are amended as follows.

(2) In regulation 16(2) at the beginning insert, “Subject to regulation 17,”.

(3) For regulation 17(2) substitute—

“(2) The first condition is that—

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(1) 2018 c. 16.

(2) S.I. 2019/341, amended by S.I. 2020/56.

- (a) P has not submitted an application under regulation 3(1) of the 1999 Regulations by the end of the period of 6 months beginning on the day after IP completion day; and
- (b) a period of 2 years and 6 months has passed since IP completion day.”.

Date

*Name*  
*Name*  
Two of the Lords Commissioners of Her  
Majesty’s Treasury

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made in exercise of the powers in section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 (c.16), in order to address failures of retained EU law to operate effectively and other deficiencies (in particular the deficiencies under paragraphs (b), (c) and (e) of section 8(2) of the Act) arising from the withdrawal of the United Kingdom from the European Union. Regulation 2 amends a temporary designation regime created by the Financial Markets and Insolvency (Amendment and Transitional Provision) (EU Exit) Regulations 2019 (S.I. 2019/341) that relates to the Financial Markets and Insolvency (Settlement Finality) Regulations 1999 (S.I. 1999/2979). Temporary designation is being extended by a further two years in a case where a system operator notified the designating authority before IP completion day but does not make an application under section 3(1) of the 1999 Regulations within the 6 month period that began on IP completion day.

A full impact assessment has not been produced for this instrument, as no, or no significant, impact on the private, voluntary or public sector is foreseen.