

SCHEDULES

SCHEDULE 3

Amendments to legislation

PART 2

Amendments to secondary legislation

Financial Services and Markets Act 2000 (Financial Promotion) Order 2005

27. The Financial Services and Markets Act 2000 (Financial Promotion) Order 2005⁽¹⁾ is amended as follows.

28. In article 2 (interpretation: general), in paragraph (1), after the definition of “the Regulated Activities Order” insert—

““regulated market admission rules” means designated activity rules made by virtue of regulation 14 of the Public Offers and Admissions to Trading Regulations 2023;”.

29. In article 68 (promotions in connection with admission to certain UK and EEA markets)⁽²⁾, in paragraph (1)(c), for “prospectus rules made under Part VI of the Act,” substitute “regulated market admission rules,”.

30.—(1) Article 70 (promotions included in listing particulars etc.) is amended as follows.

(2) In paragraph (1), for sub-paragraphs (c) and (d) substitute—

“(c) a prospectus or supplementary prospectus published in accordance with regulated market admission rules;

(d) any other document required or permitted to be published—

(i) by listing rules under Part 6 of the Act, or

(ii) by regulated market admission rules,

except an advertisement as defined in regulation 3 of the Public Offers and Admissions to Trading Regulations 2023.”.

(3) Omit paragraph (1A)⁽³⁾.

(4) In paragraph (2) for ““listing rules”, “the prospectus regulation” and “prospectus rules”” substitute “and “listing rules””.

31. In article 71 (material relating to prospectus for public offer of unlisted securities), in paragraph (2)—

(1) [S.I. 2005/1529](#).

(2) Article 68 was amended by [S.I. 2017/448](#) and [S.I. 2021/1074](#).

(3) Paragraph (1A) was inserted by [S.I. 2007/2615](#).

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- (a) in sub-paragraph (a), for “the same meaning as in section 102A(3) of the Act” substitute “the meaning given in regulation 4 of the Public Offers and Admissions to Trading Regulations 2023;
- (b) in sub-paragraph (b), for “prospectus rules made under Part VI of the Act” substitute “regulated market admission rules”.

Financial Services and Markets Act 2000 (Qualifying Provisions) Order 2013

- 32.** The Financial Services and Markets Act 2000 (Qualifying Provisions) Order 2013⁽⁴⁾ is amended as follows.
- 33.** In article 1 (citation, commencement and interpretation), in paragraph (2), omit the definition of “the EU Prospectus Regulation”.
- 34.** In article 2 (qualifying provisions: general), omit paragraph (14).
- 35.** In article 5 (qualifying provisions: injunctions and restitution)⁽⁵⁾, omit paragraphs (2)(r) and (5)(q).
- 36.** In article 6 (qualifying provisions: fees), omit paragraph (2)(t)⁽⁶⁾.

⁽⁴⁾ [S.I. 2013/419](#).

⁽⁵⁾ Paragraphs (2)(r) and (5)(q) were inserted by [S.I. 2019/1043](#).

⁽⁶⁾ Paragraph (2)(t) was inserted by [S.I. 2019/1043](#).