



# Financial Services and Markets Act 2000

## 2000 CHAPTER 8

### [<sup>F1</sup>PART 18A

#### SUSPENSION AND REMOVAL OF FINANCIAL INSTRUMENTS FROM TRADING

##### Textual Amendments

- F1** Pt. 18A inserted (1.4.2007 for certain purposes and 1.11.2007 otherwise) by [The Financial Services and Markets Act 2000 \(Markets in Financial Instruments\) Regulations 2007 \(S.I. 2007/126\)](#), regs. 1(2), 3(3), [Sch. 3 para. 1](#)

##### Modifications etc. (not altering text)

- C1** Pt. 18A: power to amend conferred (1.9.2023) by [Financial Services Act 2021 \(c. 22\)](#), ss. [22\(8\)\(b\)](#), 49(5); S.I. 2023/934, reg. 2(c)

### 313A [<sup>F2</sup>FCA's] power to require suspension or removal of financial instruments from trading

- (1) The [<sup>F3</sup>FCA] may, for the purpose of protecting—
- the interests of investors, or
  - the orderly functioning of the financial markets,
- require an institution [<sup>F4</sup>or a class of institutions] to suspend or remove a financial instrument from trading.
- [<sup>F5</sup>(2) If the [<sup>F3</sup>FCA] exercises the power conferred by subsection (1), the matter may be referred to the Tribunal by—
- the institution or, as the case may be, any institution in the class, or
  - the issuer of the financial instrument (if any).]

(3) In this section, “trading” includes trading otherwise than on a [<sup>F6</sup>trading venue] .

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### Textual Amendments

- F2** Word in Pt. 18A substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#), **ss. 36(b)**, 122(3) (with [Sch. 20](#)); [S.I. 2013/423](#), art. 3, Sch.
- F3** Word in Pt. 18A substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#), **ss. 36(a)**, 122(3) (with [Sch. 20](#)); [S.I. 2013/423](#), art. 3, Sch.
- F4** Words in s. 313A(1) inserted (9.4.2010) by [The Financial Services and Markets Act 2000 \(Amendments to Part 18A etc.\) Regulations 2010 \(S.I. 2010/1193\)](#), **reg. 2(2)**
- F5** S. 313A(2) substituted (9.4.2010) by [The Financial Services and Markets Act 2000 \(Amendments to Part 18A etc.\) Regulations 2010 \(S.I. 2010/1193\)](#), **reg. 2(3)**
- F6** Words in s. 313A(3) substituted (29.6.2017 for specified purposes, 3.7.2017 for specified purposes, 31.7.2017 for specified purposes, 3.1.2018 in so far as not already in force) by [The Financial Services and Markets Act 2000 \(Markets in Financial Instruments\) Regulations 2017 \(S.I. 2017/701\)](#), **reg. 1(2)(3)(4)(6)**, **Sch. 2 para. 39** (with [reg. 7](#))

### 313B Suspension or removal of financial instruments from trading: procedure

- (1) A requirement imposed on an institution under section 313A (a “relevant requirement”) takes effect—
- (a) immediately, if the notice given under subsection (2) states that this is the case;
  - (b) in any other case, on such date as may be specified in the notice.
- (2) If the [<sup>F3</sup>FCA] proposes to impose a relevant requirement on an institution, [<sup>F7</sup>or a class of institutions,] or imposes such a requirement with immediate effect, it must give written notice to [<sup>F8</sup> give notice—
- (a) by written notice to—
    - (i) the institution or, as the case may be, each institution in the class, and
    - (ii) the issuer of the financial instrument in question (if any); or
  - (b) by publishing a notice by means of a regulatory information service.]
- (3) [<sup>F9</sup>A notice given under subsection (2)(a)] must—
- (a) give details of the relevant requirement;
  - (b) state the [<sup>F2</sup>FCA's] reasons for imposing the requirement and choosing the date on which it took effect or takes effect;
  - (c) inform the recipient that he may make representations to the [<sup>F3</sup>FCA] within such period as may be specified by the notice (whether or not he has referred the matter to the Tribunal);
  - (d) inform him of the date on which the requirement took effect or takes effect; and
  - (e) inform him of his right to refer the matter to the Tribunal and give an indication of the procedure on such a reference.
- [ A notice published under subsection (2)(b) must—
- <sup>F10</sup>(3A)
  - (a) give details of the relevant requirement;
  - (b) specify the institution, or the class of institutions, to which it applies;
  - (c) state the [<sup>F2</sup>FCA's] reasons for imposing the requirement and choosing the date on which it took effect or takes effect;
  - (d) state that any institution to which the requirement applies or the issuer of the financial instrument in question may make representations to the [<sup>F3</sup>FCA]

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within such period as may be specified by the notice (whether or not the institution or the issuer has referred the matter to the Tribunal);

- (e) state the date on which the requirement took effect or takes effect; and
- (f) state that any institution to which the requirement applies or the issuer of the financial instrument in question has a right to refer the matter to the Tribunal, and give an indication of the procedure on such a reference.]

(4) The [F<sup>3</sup>FCA] may extend the period within which representations may be made to it.

(5) F<sup>11</sup> .....

(6) F<sup>11</sup> .....

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(10) F<sup>11</sup> .....

(11) F<sup>11</sup> .....

(12) F<sup>11</sup> .....

#### Textual Amendments

**F2** Word in Pt. 18A substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#), **ss. 36(b)**, 122(3) (with [Sch. 20](#)); [S.I. 2013/423](#), art. 3, Sch.

**F3** Word in Pt. 18A substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#), **ss. 36(a)**, 122(3) (with [Sch. 20](#)); [S.I. 2013/423](#), art. 3, Sch.

**F7** Words in s. 313B(2) inserted (9.4.2010) by [The Financial Services and Markets Act 2000 \(Amendments to Part 18A etc.\) Regulations 2010 \(S.I. 2010/1193\)](#), **reg. 3(2)(a)**

**F8** Words in s. 313B(2) substituted (9.4.2010) by [The Financial Services and Markets Act 2000 \(Amendments to Part 18A etc.\) Regulations 2010 \(S.I. 2010/1193\)](#), **reg. 3(2)(b)**

**F9** Words in s. 313B(3) substituted (9.4.2010) by [The Financial Services and Markets Act 2000 \(Amendments to Part 18A etc.\) Regulations 2010 \(S.I. 2010/1193\)](#), **reg. 3(3)**

**F10** S. 313B(3A) inserted (9.4.2010) by [The Financial Services and Markets Act 2000 \(Amendments to Part 18A etc.\) Regulations 2010 \(S.I. 2010/1193\)](#), **reg. 3(4)**

**F11** S. 313B(5)-(12) omitted (9.4.2010) by virtue of [The Financial Services and Markets Act 2000 \(Amendments to Part 18A etc.\) Regulations 2010 \(S.I. 2010/1193\)](#), **reg. 3(5)**

#### [F<sup>12</sup>313BA] Procedure following consideration of representations

(1) This section applies where, within the period specified under section 313B(3), (3A) or (4), representations are made to the [F<sup>3</sup>FCA] in relation to a requirement that it has proposed to impose or has imposed under section 313A.

(2) The [F<sup>3</sup>FCA] must decide whether to impose the requirement or (in the case of a requirement that has been imposed) whether to revoke it.

(3) In the case of a requirement that the [F<sup>3</sup>FCA] has proposed to impose on a class of institutions, the [F<sup>3</sup>FCA] may decide to impose the requirement—

- (a) on the class;
- (b) on the class apart from one or more specified members of it; or

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- (c) only on one or more specified members of the class.
- (4) In the case of a requirement that the [F<sup>3</sup>FCA] has imposed on a class of institutions, the [F<sup>3</sup>FCA] may decide to revoke it in relation to—
  - (a) the class;
  - (b) the class apart from one or more specified members of it; or
  - (c) one or more specified members of the class only.
- (5) The [F<sup>3</sup>FCA] must give written notice of its decision to—
  - (a) any institution which has made representations, and
  - (b) the issuer of the financial instrument in question (if any).
- (6) In the case of a requirement that the [F<sup>3</sup>FCA] has proposed to impose or has imposed on a class, the [F<sup>3</sup>FCA] must also give notice of its decision by publishing it by means of a regulatory information service unless the decision is—
  - (a) to impose the requirement on the class, or
  - (b) not to revoke the requirement in relation to the class or any member of it.
- (7) An institution to which notice is required to be given under subsection (5) may refer the matter to the Tribunal if the [F<sup>2</sup>FCA's] decision is that the requirement will be imposed on, or will continue to apply to, the institution.
- (8) An issuer to whom notice is required to be given under subsection (5) may refer the matter to the Tribunal if the [F<sup>2</sup>FCA's] decision is that the requirement will be imposed on, or will continue to apply to, the institution or (in the case of a requirement relating to a class) any of the institutions in the class.
- (9) A notice given under subsection (5) must inform the recipient if the recipient has a right to refer the matter to the Tribunal.

#### Textual Amendments

- F2** Word in Pt. 18A substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\), ss. 36\(b\), 122\(3\)](#) (with [Sch. 20](#)); [S.I. 2013/423, art. 3, Sch.](#)
- F3** Word in Pt. 18A substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\), ss. 36\(a\), 122\(3\)](#) (with [Sch. 20](#)); [S.I. 2013/423, art. 3, Sch.](#)
- F12** Ss. 313BA-313BE inserted (9.4.2010) by [The Financial Services and Markets Act 2000 \(Amendments to Part 18A etc.\) Regulations 2010 \(S.I. 2010/1193\), reg. 4](#)

### 313BB Revocation of requirements: applications by institutions

- (1) This section applies where the [F<sup>3</sup>FCA] has imposed a requirement on an institution or a class of institutions under section 313A.
- (2) The institution or any of the institutions in the class may apply to the [F<sup>3</sup>FCA] for the revocation of the requirement.
- (3) The [F<sup>3</sup>FCA] must decide whether to revoke the requirement.
- (4) In the case of a requirement imposed on a class of institutions, the [F<sup>3</sup>FCA] may decide to revoke it in relation to—
  - (a) the class;
  - (b) the class apart from one or more specified members of it; or

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- (c) one or more specified members of the class only.
- (5) The [F<sup>3</sup>FCA] must give a warning notice if—
  - (a) in the case of a requirement imposed on an institution, the [F<sup>3</sup>FCA] proposes not to revoke the requirement, or
  - (b) in the case of a requirement imposed on a class, the [F<sup>3</sup>FCA] proposes to make a decision which would have the effect that the requirement continues to apply to the applicant (whether or not it would have the effect that it continues to apply to other members of the class).
- (6) The warning notice must be given to—
  - (a) the applicant, and
  - (b) the issuer of the financial instrument in question (if any).

#### Textual Amendments

- F3** Word in Pt. 18A substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\), ss. 36\(a\), 122\(3\)](#) (with [Sch. 20](#)); [S.I. 2013/423, art. 3, Sch.](#)
- F12** Ss. 313BA-313BE inserted (9.4.2010) by [The Financial Services and Markets Act 2000 \(Amendments to Part 18A etc.\) Regulations 2010 \(S.I. 2010/1193\), reg. 4](#)

### 313BC Decisions on applications for revocation by institutions

- (1) This section applies where, having considered any representations made in response to a warning notice, the [F<sup>3</sup>FCA] has decided whether to grant an application for revocation made under section 313BB.
- (2) The [F<sup>3</sup>FCA] must give written notice in accordance with subsection (3) if—
  - (a) in the case of a requirement imposed on an institution, the [F<sup>3</sup>FCA] decides to revoke the requirement, or
  - (b) in the case of a requirement imposed on a class, the [F<sup>3</sup>FCA] makes a decision which has the effect that the requirement will no longer apply to the applicant (whether or not it will continue to apply to other members of the class).
- (3) The written notice must be given to—
  - (a) the applicant, and
  - (b) the issuer of the financial instrument in question (if any).
- (4) If the [F<sup>3</sup>FCA] is required to give written notice under subsection (2) in relation to a requirement imposed on a class, the [F<sup>3</sup>FCA] must also give notice of its decision by publishing it by means of a regulatory information service.
- (5) The [F<sup>3</sup>FCA] must give a decision notice in accordance with subsection (6) if—
  - (a) in the case of a requirement imposed on an institution, the [F<sup>3</sup>FCA] decides not to revoke the requirement, or
  - (b) in the case of a requirement imposed on a class, the [F<sup>3</sup>FCA] makes a decision which has the effect that the requirement will continue to apply to the applicant (whether or not it will continue to apply to other members of the class).
- (6) The decision notice must be given to—
  - (a) the applicant, and
  - (b) the issuer of the financial instrument in question (if any).

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- (7) If the [F<sup>3</sup>FCA] is required to give a decision notice in relation to a requirement imposed on a class, the [F<sup>3</sup>FCA] must also give notice of its decision by publishing it by means of a regulatory information service.
- (8) If the [F<sup>3</sup>FCA] gives a decision notice, the recipient may refer the matter to the Tribunal.

#### Textual Amendments

- F3** Word in Pt. 18A substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\), ss. 36\(a\), 122\(3\)](#) (with [Sch. 20](#)); [S.I. 2013/423, art. 3, Sch.](#)
- F12** Ss. 313BA-313BE inserted (9.4.2010) by [The Financial Services and Markets Act 2000 \(Amendments to Part 18A etc.\) Regulations 2010 \(S.I. 2010/1193\), reg. 4](#)

### 313BD Revocation of requirements: applications by issuers

- (1) This section applies where the [F<sup>3</sup>FCA] has imposed a requirement on an institution or a class of institutions under section 313A.
- (2) The issuer of the financial instrument may apply to the [F<sup>3</sup>FCA] for the revocation of the requirement.
- (3) The [F<sup>3</sup>FCA] must decide whether to revoke the requirement.
- (4) In the case of a requirement imposed on a class of institutions, the [F<sup>3</sup>FCA] may decide to revoke it in relation to—
- (a) the class;
  - (b) the class apart from one or more specified members of it; or
  - (c) one or more specified members of the class only.
- (5) The [F<sup>3</sup>FCA] must give the issuer a warning notice if—
- (a) in the case of a requirement imposed on an institution, the [F<sup>3</sup>FCA] proposes not to revoke the requirement, or
  - (b) in the case of a requirement imposed on a class, the [F<sup>3</sup>FCA] proposes not to revoke the requirement or to revoke it in relation to—
    - (i) the class apart from one or more specified members of it, or
    - (ii) one or more specified members of the class only.

#### Textual Amendments

- F3** Word in Pt. 18A substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\), ss. 36\(a\), 122\(3\)](#) (with [Sch. 20](#)); [S.I. 2013/423, art. 3, Sch.](#)
- F12** Ss. 313BA-313BE inserted (9.4.2010) by [The Financial Services and Markets Act 2000 \(Amendments to Part 18A etc.\) Regulations 2010 \(S.I. 2010/1193\), reg. 4](#)

### 313BE Decisions on applications for revocation by issuers

- (1) This section applies where, having considered any representations made in response to a warning notice, the [F<sup>3</sup>FCA] has decided whether to grant an application for revocation made under section 313BD.

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- (2) The [F<sup>3</sup>FCA] must give written notice to the issuer if the [F<sup>3</sup>FCA] decides to revoke the requirement.
- (3) If the [F<sup>3</sup>FCA] is required to give written notice under subsection (2) in relation to a requirement imposed on a class, the [F<sup>3</sup>FCA] must also give notice of its decision by publishing it by means of a regulatory information service.
- (4) The [F<sup>3</sup>FCA] must give the issuer a decision notice if—
- (a) in the case of a requirement imposed on an institution, the [F<sup>3</sup>FCA] decides not to revoke the requirement, or
  - (b) in the case of a requirement imposed on a class, the [F<sup>3</sup>FCA] decides not to revoke the requirement or makes a decision to revoke the requirement in relation to—
    - (i) the class apart from one or more specified members of it, or
    - (ii) one or more specified members of the class only.
- (5) If the [F<sup>3</sup>FCA] is required to give a decision notice under subsection (4)(b), it must also give notice of its decision by publishing it by means of a regulatory information service.
- (6) If the [F<sup>3</sup>FCA] gives a decision notice under subsection (4), the issuer may refer the matter to the Tribunal.]

#### Textual Amendments

- F3** Word in Pt. 18A substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\), ss. 36\(a\), 122\(3\)](#) (with [Sch. 20](#)); [S.I. 2013/423, art. 3, Sch.](#)
- F12** Ss. 313BA-313BE inserted (9.4.2010) by [The Financial Services and Markets Act 2000 \(Amendments to Part 18A etc.\) Regulations 2010 \(S.I. 2010/1193\), reg. 4](#)

### <sup>F13</sup>313C Notification in relation to suspension or removal of a financial instrument from trading

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#### Textual Amendments

- F13** S. 313C omitted (29.6.2017 for specified purposes, 3.7.2017 for specified purposes, 31.7.2017 for specified purposes, 3.1.2018 in so far as not already in force) by virtue of [The Financial Services and Markets Act 2000 \(Markets in Financial Instruments\) Regulations 2017 \(S.I. 2017/701\), reg. 1\(2\)\(3\)\(4\)\(6\), Sch. 2 para. 40](#) (with [reg. 7](#))

### [<sup>F14</sup>313C] Suspension or removal of financial instruments from trading: notification and trading on other venues

- (1) The FCA must take the steps in subsection (2) to (4) if it imposes a requirement on an institution under section 313A to—
- (a) suspend or remove a financial instrument from trading; or

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- (b) suspend or remove a derivative which relates, or is referenced, to the financial instrument from trading to support the objectives of a suspension or removal mentioned in paragraph (a).
- (2) The FCA must require any trading venue or systematic internaliser which falls under its jurisdiction and trades the same instrument or derivative to suspend or remove the instrument or derivative from trading if a suspension or removal mentioned in subsection (1) was due to—
- (a) suspected market abuse;
  - (b) a take-over bid; or
  - (c) the non-disclosure of inside information about the issuer or the instrument.
- (3) But the FCA is not obliged to impose a requirement under subsection (2) if it could cause significant damage to the interests of investors or the orderly functioning of the market.
- [<sup>F15</sup>(4) The FCA must publish a decision of any of the following kinds in such a manner as the FCA considers appropriate—
- (a) a decision to impose a requirement under section 313A;
  - (b) a decision to revoke a requirement imposed under section 313A;
  - (c) a decision to impose, or to revoke or not to impose, a requirement under subsection (2).
- (5) Subsection (4) does not require a decision to be published if it has already been published under section 313B(2)(b) or 313BE(5).]

#### Textual Amendments

- F14** Ss. 313CA-313CC inserted (29.6.2017 for specified purposes, 3.7.2017 for specified purposes, 31.7.2017 for specified purposes, 3.1.2018 in so far as not already in force) by [The Financial Services and Markets Act 2000 \(Markets in Financial Instruments\) Regulations 2017 \(S.I. 2017/701\)](#), reg. 1(2)(3)(4)(6), [Sch. 2 para. 41](#) (with reg. 7) (as amended (2.1.2018) by [The Financial Services and Markets Act 2000 \(Markets in Financial Instruments\) \(No.2\) Regulations 2017 \(S.I. 2017/1255\)](#), regs. 2(a), [34](#))
- F15** S. 313CA(4)(5) substituted for s. 313CA(4) (31.12.2020) by [The Investment Exchanges, Clearing Houses and Central Securities Depositories \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/662\)](#), regs. 1(3), [10\(2\)](#) (with savings in S.I. 2019/680, reg. 11); 2020 c. 1, Sch. 5 para. 1(1)

### **313CB. Suspension or removal of a financial instrument from a trading by a trading venue: FCA duties**

- (1) The FCA must take the steps in subsections (2), (4), and (5) if a person specified in subsection (6) operating a trading venue in the United Kingdom informs the FCA it has made a decision—
- (a) to suspend or remove a financial instrument from trading on the trading venue because the instrument no longer complies with the venue's rules, or
  - (b) to suspend or remove a derivative which relates, or is referenced, to the financial instrument from trading on the trading venue to support the objectives of a suspension or removal mentioned in paragraph (a).
- (2) The FCA must require any other trading venue or any systematic internaliser which falls under its jurisdiction and trades the same instrument or derivative to suspend or



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remove the instrument or derivative from trading if a suspension or removal mentioned in subsection (1) was due to—

- (a) suspected market abuse;
- (b) a take-over bid; or
- (c) the non-disclosure of inside information about the issuer or the instrument.

(3) But the FCA is not obliged to impose a requirement under subsection (2) if it could cause significant damage to the interests of investors or the orderly functioning of the market.

(4) The FCA must revoke a requirement imposed under subsection (2) if the person mentioned in subsection (1) informs the FCA it has lifted the suspension mentioned in that subsection.

[<sup>F16</sup>(5) The FCA must publish any decision to impose, or to revoke or not to impose, a requirement under subsection (2) in such a manner as the FCA considers appropriate.]

(6) The specified persons for the purposes of subsection (6) are—

- (a) a recognised investment exchange,
- (b) an investment firm with a Part 4A permission to carry on a regulated activity which is any of the investment services and activities,

[<sup>F17</sup>(c) a qualifying credit institution that has Part 4A permission to carry on the regulated activity of accepting deposits.]]

#### Textual Amendments

- F14** Ss. 313CA-313CC inserted (29.6.2017 for specified purposes, 3.7.2017 for specified purposes, 31.7.2017 for specified purposes, 3.1.2018 in so far as not already in force) by [The Financial Services and Markets Act 2000 \(Markets in Financial Instruments\) Regulations 2017 \(S.I. 2017/701\)](#), reg. 1(2)(3)(4)(6), **Sch. 2 para. 41** (with reg. 7) (as amended (2.1.2018) by [The Financial Services and Markets Act 2000 \(Markets in Financial Instruments\) \(No.2\) Regulations 2017 \(S.I. 2017/1255\)](#), regs. 2(a), **34**)
- F16** S. 313CB(5) substituted (31.12.2020) by [The Investment Exchanges, Clearing Houses and Central Securities Depositories \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/662\)](#), regs. 1(3), **10(3)(a)** (with savings in [S.I. 2019/680](#), reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F17** S. 313CB(6)(c) substituted (31.12.2020) by [The Investment Exchanges, Clearing Houses and Central Securities Depositories \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/662\)](#), regs. 1(3), **10(3)(b)** (with savings in [S.I. 2019/680](#), reg. 11); 2020 c. 1, Sch. 5 para. 1(1)

#### <sup>F18</sup>**313CSuspension or removal of a financial instrument from trading in another EEA state: FCA duties**

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#### Textual Amendments

- F18** S. 313CC omitted (31.12.2020) by virtue of [The Investment Exchanges, Clearing Houses and Central Securities Depositories \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/662\)](#), regs. 1(3), **10(4)** (with savings in [S.I. 2019/680](#), reg. 11); 2020 c. 1, Sch. 5 para. 1(1)

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### 313D Interpretation of Part 18A

[ In this Part—  
<sup>F19</sup>(1)]

<sup>F20</sup> ...

[<sup>F21</sup>“derivative” means a derivative referred to in [<sup>F22</sup>paragraphs 4 to 10 of Part 1 of Schedule 2 to the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 (S.I. 2001/544)];]

[<sup>F23</sup>“financial instrument” means an instrument specified in Part 1 of Schedule 2 to the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001;]

“institution” means—

- (a) a recognised investment exchange, other than an overseas investment exchange (within the meaning of Part 18);
- (b) an investment firm;
- (c) [<sup>F24</sup>a qualifying credit institution that has Part 4A permission to carry on the regulated activity of accepting deposits, when carrying out investment services or activities; or]
- (d) [<sup>F24</sup>a qualifying credit institution other than one that has Part 4A permission to carry on the regulated activity of accepting deposits;]

<sup>F25</sup> ...

“issuer”, in relation to a financial instrument, means the person who issued the instrument;

[<sup>F21</sup>“market abuse” means a contravention of Article 14 (prohibition of insider dealing and of unlawful disclosure of inside information) or 15 (prohibition of market manipulation) of the market abuse regulation;]

<sup>F26</sup> ...

[<sup>F21</sup>“non-disclosure of inside information” means a failure to disclose inside information, as defined by Article 7 (inside information) of the market abuse regulation, in contravention of Article 17 (public disclosure of inside information) of that Regulation;]

[<sup>F27</sup>“regulated information” has the meaning given in Article 2(1)(k) of the transparency obligations directive (as defined in section 103 of this Act);]

[<sup>F28</sup>“regulatory information service” means—

- (a) a service approved by the [<sup>F3</sup>FCA] to disseminate regulated information in accordance with rules made under section 89A of this Act,]<sup>F29</sup> ...
- (b) <sup>F29</sup> ...

<sup>F30</sup> ...

[<sup>F31</sup>“systematic internaliser” has the meaning given in Article 2(1)(12) of the markets in financial instruments regulation;]

[<sup>F31</sup>“trading venue” means a UK trading venue, as defined by Article 2(1) (16A) of the markets in financial instruments regulation.]

[ In this Part a trading venue or systematic internaliser falls under the FCA’s jurisdiction <sup>F32</sup>(2) if—

- [<sup>F33</sup>(a) it is established in the United Kingdom; or]
- (b) in the case of a systematic internaliser [<sup>F34</sup>which] does not fall within the FCA’s jurisdiction by virtue of paragraph (a)—

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- (i) it has established a branch (as defined by [<sup>F35</sup>Article 2(1)(20) of the markets in financial instruments regulation]) in the United Kingdom; and
- (ii) the FCA considers that it is necessary to impose a requirement on the systematic internaliser under section [<sup>F36</sup>section 313CA(2) or 313CB(2)].]

### Textual Amendments

- F3** Word in Pt. 18A substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\), ss. 36\(a\), 122\(3\)](#) (with [Sch. 20](#)); [S.I. 2013/423, art. 3, Sch.](#)
- F19** S. 313D(1) s. 313D re-numbered as s. 313D(1) (29.6.2017 for specified purposes, 3.7.2017 for specified purposes, 31.7.2017 for specified purposes, 3.1.2018 in so far as not already in force) by [The Financial Services and Markets Act 2000 \(Markets in Financial Instruments\) Regulations 2017 \(S.I. 2017/701\), reg. 1\(2\)\(3\)\(4\)\(6\), Sch. 2 para. 42\(2\)](#) (with [reg. 7](#))
- F20** Words in s. 313D(1) omitted (31.12.2020) by virtue of [The Investment Exchanges, Clearing Houses and Central Securities Depositories \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/662\), regs. 1\(3\), 10\(5\)\(a\)\(i\)](#) (with savings in [S.I. 2019/680, reg. 11](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F21** Words in s. 313D(1) inserted (29.6.2017 for specified purposes, 3.7.2017 for specified purposes, 31.7.2017 for specified purposes, 3.1.2018 in so far as not already in force) by [The Financial Services and Markets Act 2000 \(Markets in Financial Instruments\) Regulations 2017 \(S.I. 2017/701\), reg. 1\(2\)\(3\)\(4\)\(6\), Sch. 2 para. 42\(3\)\(d\)](#) (with [reg. 7](#))
- F22** Words in s. 313D(1) substituted (31.12.2020) by [The Investment Exchanges, Clearing Houses and Central Securities Depositories \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/662\), regs. 1\(3\), 10\(5\)\(a\)\(ii\)](#) (with savings in [S.I. 2019/680, reg. 11](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F23** Words in s. 313D(1) substituted (31.12.2020) by [The Investment Exchanges, Clearing Houses and Central Securities Depositories \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/662\), regs. 1\(3\), 10\(5\)\(a\)\(iii\)](#) (with savings in [S.I. 2019/680, reg. 11](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F24** Words in s. 313D(1) substituted (31.12.2020) by [The Investment Exchanges, Clearing Houses and Central Securities Depositories \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/662\), regs. 1\(3\), 10\(5\)\(a\)\(iv\)](#) (with savings in [S.I. 2019/680, reg. 11](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F25** Words in s. 313D(1) omitted (31.12.2020) by virtue of [The EEA Passport Rights \(Amendment, etc., and Transitional Provisions\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1149\), reg. 1\(3\), Sch. para. 18](#) (with [reg. 4](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F26** Words in s. 313D(1) omitted (29.6.2017 for specified purposes, 3.7.2017 for specified purposes, 31.7.2017 for specified purposes, 3.1.2018 in so far as not already in force) by virtue of [The Financial Services and Markets Act 2000 \(Markets in Financial Instruments\) Regulations 2017 \(S.I. 2017/701\), reg. 1\(2\)\(3\)\(4\)\(6\), Sch. 2 para. 42\(3\)\(b\)](#) (with [reg. 7](#))
- F27** S. 313D: definition of "regulated information" inserted (9.4.2010) by [The Financial Services and Markets Act 2000 \(Amendments to Part 18A etc.\) Regulations 2010 \(S.I. 2010/1193\), reg. 6](#)
- F28** S. 313D: definition of "regulatory information service" inserted (9.4.2010) by [The Financial Services and Markets Act 2000 \(Amendments to Part 18A etc.\) Regulations 2010 \(S.I. 2010/1193\), reg. 6](#)
- F29** Words in s. 313D(1) omitted (31.12.2020) by virtue of [The Investment Exchanges, Clearing Houses and Central Securities Depositories \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/662\), regs. 1\(3\), 10\(5\)\(a\)\(v\)](#) (with savings in [S.I. 2019/680, reg. 11](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F30** Words in s. 313D(1) omitted (29.6.2017 for specified purposes, 3.7.2017 for specified purposes, 31.7.2017 for specified purposes, 3.1.2018 in so far as not already in force) by virtue of [The Financial Services and Markets Act 2000 \(Markets in Financial Instruments\) Regulations 2017 \(S.I. 2017/701\), reg. 1\(2\)\(3\)\(4\)\(6\), Sch. 2 para. 42\(3\)\(c\)](#) (with [reg. 7](#))
- F31** Words in s. 313D(1) substituted (31.12.2020) by [The Investment Exchanges, Clearing Houses and Central Securities Depositories \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/662\), regs. 1\(3\), 10\(5\)\(a\)\(vi\)](#) (with savings in [S.I. 2019/680, reg. 11](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

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- F32** S. 313D(2) inserted (29.6.2017 for specified purposes, 3.7.2017 for specified purposes, 31.7.2017 for specified purposes, 3.1.2018 in so far as not already in force) by [The Financial Services and Markets Act 2000 \(Markets in Financial Instruments\) Regulations 2017 \(S.I. 2017/701\)](#), reg. 1(2)(3)(4)(6), [Sch. 2 para. 42\(4\)](#) (with reg. 7) (as amended (2.1.2018) by [The Financial Services and Markets Act 2000 \(Markets in Financial Instruments\) \(No.2\) Regulations 2017 \(S.I. 2017/1255\)](#), regs. 2(a), [35](#))
- F33** S. 313D(2)(a) substituted (31.12.2020) by [The Investment Exchanges, Clearing Houses and Central Securities Depositories \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/662\)](#), regs. 1(3), [10\(5\)\(b\)\(i\)](#) (with savings in [S.I. 2019/680](#), reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F34** Word in s. 313D(2)(b) inserted (26.3.2019) by [The Investment Exchanges, Clearing Houses and Central Securities Depositories \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/662\)](#), regs. 1(2), [2\(b\)](#)
- F35** Words in s. 313D(2)(b)(i) substituted (31.12.2020) by [The Investment Exchanges, Clearing Houses and Central Securities Depositories \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/662\)](#), regs. 1(3), [10\(5\)\(b\)\(ii\)\(aa\)](#) (with savings in [S.I. 2019/680](#), reg. 11); 2020 c. 1, Sch. 5 para. 1(1)
- F36** Words in s. 313D(2)(b)(ii) substituted (31.12.2020) by [The Investment Exchanges, Clearing Houses and Central Securities Depositories \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/662\)](#), regs. 1(3), [10\(5\)\(b\)\(ii\)\(bb\)](#) (with savings in [S.I. 2019/680](#), reg. 11); 2020 c. 1, Sch. 5 para. 1(1)

### Changes to legislation:

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[View outstanding changes](#)

### Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2023/1347 reg. 8](#)
- Act power to apply conferred (temp. until 15.5.2039) by [2014 c. 21 s. 79\(4\)](#)
- Act power to apply conferred (temp. until 15.5.2039) by [2014 c. 21 s. 81\(10\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 17 Ch. 3B inserted by [2023 c. 29 s. 64\(3\)](#)
- Pt. 20C inserted by [2016 c. 14 s. 30\(3\)](#)
- s. 31(1)(aa) inserted by [2021 c. 22 s. 22\(2\)](#)
- s. 32A inserted by [2021 c. 22 s. 22\(3\)](#)
- s. 32A power to apply (with modifications) conferred by [2021 c. 22 s. 23\(10\)](#)
- s. 36A and cross-heading inserted by [2021 c. 22 s. 22\(4\)](#)
- s. 71J and cross-heading inserted by [2021 c. 22 Sch. 8 para. 4](#)
- s. 86(9A) inserted by [S.I. 2019/707 reg. 8\(9\)](#) (This amendment not applied to legislation.gov.uk. Reg. 8(6)-(10) omitted (6.9.2019) by virtue of S.I. 2019/1234, regs. 1(2), 13(c))
- s. 87A(11) inserted by [S.I. 2019/707 reg. 10\(5\)](#) (This amendment not applied to legislation.gov.uk. Reg. 10(4)(5) omitted (6.9.2019) by virtue of S.I. 2019/1234, regs. 1(2), 15(b))
- s. 124(10)(c)(i) word omitted by [S.I. 2019/310 reg. 5\(11\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 5(11)(b) omitted immediately before IP completion day by virtue of S.I. 2020/1385, regs. 1(4), 51(2)(e))
- s. 129(7)(a) word inserted by [S.I. 2019/310 reg. 5\(12\)\(a\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Reg. 5(12)(a)(b) omitted immediately before IP completion day by virtue of S.I. 2020/1385, regs. 1(4), 51(2)(f))
- s. 129(7)(c) omitted and word by [S.I. 2019/310 reg. 5\(12\)\(a\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Reg. 5(12)(a)(b) omitted immediately before IP completion day by virtue of S.I. 2020/1385, regs. 1(4), 51(2)(f))
- s. 214(5A) inserted by [2021 c. 22 Sch. 8 para. 8](#)
- s. 261E(A1) inserted by [2023 c. 29 s. 64\(2\)\(a\)](#)
- s. 367A inserted by [2021 c. 22 Sch. 8 para. 10](#)
- s. 395(13)(h)(i) inserted by [2021 c. 22 Sch. 8 para. 12\(2\)\(c\)](#)
- s. 395(13)(bc)-(be) word inserted by [2021 c. 22 Sch. 8 para. 12\(2\)\(b\)](#)
- s. 395(14) inserted by [2021 c. 22 Sch. 8 para. 12\(3\)](#)
- s. 427A(3) words substituted by [2002 c. 40 Sch. 17 para. 59](#) (This amendment not applied to legislation.gov.uk. The Financial Services and Markets Act 2000 does not contain a section 427A.)
- Sch. 1ZA para. 32(c) and word inserted by [2021 c. 22 Sch. 8 para. 18](#)
- Sch. 2A para. 19(2)(b)(iia) inserted by [2023 c. 29 Sch. 10 para. 19\(a\)](#)
- Sch. 2A2B power to apply (with modifications) conferred by [2021 c. 22 s. 23\(10\)](#)
- Sch. 2A power to apply (with modifications) conferred by [2021 c. 22 s. 23\(10\)](#)
- Sch. 2B inserted by [2021 c. 22 Sch. 7](#)
- Sch. 2B power to apply (with modifications) conferred by [2021 c. 22 s. 23\(10\)](#)
- Sch. 11A para. 5(3) inserted by [S.I. 2019/707 reg. 38\(5\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 38(2)-(5)(7)(8) omitted (6.9.2019) by virtue of S.I. 2019/1234, regs. 1(2), 20)

- Sch. 17A para. 12 words substituted by [S.I. 2019/662 reg. 13\(1\)](#) (This amendment not applied to [legislation.gov.uk](#). Reg. 13(1) substituted (25.6.2020) by S.I. 2020/646, regs. 1(2)(c), 11(3))