



Financial Services and Markets Act 2000

2000 CHAPTER 8

[^{F1}PART 8A

SHORT SELLING

Power to require information

[^{F1}Investigations in support of EEA regulator” ^{F2}131FA.

- (1) If so requested by the competent authority of an EEA State other than the United Kingdom (“the EEA regulator”) acting in the exercise of its functions under the short selling regulation, the [^{F3}FCA] may appoint one or more competent persons to investigate any matter.
- (2) In deciding whether to comply with a request falling within subsection (1), the [^{F3}FCA] must consider whether it is necessary to do so in order to comply with the short selling regulation.
- (3) Sections 170 to 177 (which relate to investigations) apply in relation to an investigator appointed under subsection (1) as they apply in relation to an investigator appointed under section 168(5).
- (4) The [^{F3}FCA] may direct an investigator appointed under subsection (1) to permit a representative of the EEA regulator” to attend, and take part in, any interview conducted for the purposes of the investigation.
- (5) The [^{F3}FCA] is not to give a direction under subsection (4) unless it is satisfied that any information obtained by the EEA regulator” as a result of the interview will be subject to safeguards equivalent to those contained in Part 23.
- (6) The [^{F3}FCA] must prepare a statement of its policy with respect to the conduct of interviews in relation to which a direction under subsection (4) has been given.
- (7) The statement requires the approval of the Treasury.
- (8) If the Treasury approve the statement, the [^{F3}FCA] must publish it.

Status: Point in time view as at 01/03/2016. This version of this provision has been superseded.

Changes to legislation: Financial Services and Markets Act 2000, Section 131FA is up to date with all changes known to be in force on or before 18 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)

(9) No direction may be given under subsection (4) before the statement has been published.

(10) The [F³FCA] may at any time alter or replace a statement issued under subsection (6), and subsections (7) and (8) apply to an altered statement or to a replacement statement.]]

Textual Amendments

- F1** Pt. 8A inserted (8.6.2010) by [Financial Services Act 2010 \(c. 28\)](#), **ss. 8**, 26(2)(b)
- F2** Ss. 131FA-131FC inserted (1.11.2012) by [The Financial Services and Markets Act 2000 \(Short Selling\) Regulations 2012 \(S.I. 2012/2554\)](#), regs. 1(1), **2(5)**
- F3** Word in [Pt. 8A](#) substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#), **ss. 25(1)**, 122(3) (with s. 25(2), Sch. 20); [S.I. 2013/423](#), art. 3, Sch.

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