



Investment Exchanges and Clearing Houses Act 2006

2006 CHAPTER 55

4 Consequential amendment of grounds for refusing recognition

In Part 18 of the Financial Services and Markets Act 2000 (recognised investment exchanges and clearing houses), after section 290 (recognition orders) insert—

“290A Refusal of recognition on ground of excessive regulatory provision

- (1) The Authority must not make a recognition order if it appears to the Authority that an existing or proposed regulatory provision of the applicant in connection with—
 - (a) the applicant’s business as an investment exchange, or
 - (b) the provision by the applicant of clearing services,imposes or will impose an excessive requirement on the persons affected (directly or indirectly) by it.
- (2) The reference in section 290(1) (making of recognition order) to satisfying the applicable recognition requirements shall be read accordingly.
- (3) Expressions used in subsection (1) above that are defined for the purposes of section 300A (power of Authority to disallow excessive regulatory provision) have the same meaning as in that section.
- (4) The provisions of section 300A(3) and (4) (determination whether regulatory provision excessive) apply for the purposes of this section as for the purposes of section 300A.
- (5) Section 298 has effect in relation to a decision under this section to refuse a recognition order—
 - (a) as it has effect in relation to a decision to revoke such an order, and
 - (b) as if references to a recognised body were references to the applicant.

Status: This is the original version (as it was originally enacted).

- (6) This section does not apply to an application for recognition as an overseas investment exchange or overseas clearing house.”.