

SCHEDULE 2

Amendments to the Financial Services Act 1986 and minor and consequential amendments and repeals

PART I

Amendments to part IV of the Financial Services Act 1986

- 1.—(1) Section 142 of the Act shall be amended as follows.
- (2) In subsection (7), immediately before the definition of “issuer” there shall be inserted—
““approved exchange” means, in relation to dealings in securities, a recognised investment exchange approved by the Treasury for the purposes of the Public Offers of Securities Regulations 1995 either generally or in relation to such dealings;”.
- (3) After that subsection, there shall be inserted—
“(7A) For the purposes of this Part of this Act—”
 - (a) a person offers securities if, as principal—
 - (i) he makes an offer which, if accepted, would give rise to a contract for their issue or sale (which for this purpose includes any disposal for valuable consideration) by him or by another person with whom he has made arrangements for their issue or sale; or
 - (ii) he invites a person to make such an offer,but not otherwise; and, except where the context otherwise requires, “offer” and “offeror” shall be construed accordingly; and
 - (b) whether a person offers securities to the public in the United Kingdom shall be determined in accordance with Schedule 11A to this Act.