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STATUTORY INSTRUMENTS

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**2001 No. 2512**

**The Financial Services and Markets Act 2000 (Transitional Provisions) (Reviews of Pensions Business) Order 2001**

**Provisions of deemed scheme: procedural requirements**

7.—(1) Section 148 (modification or waiver of rules) applies to provisions of the deemed scheme as it applies to rules (subject to article 5(4)).

(2) Sections 152 to 154 and 156 (procedural provisions relating to rules) apply to new provisions as they apply to rules.

(3) Section 155 (consultation on proposed rules) does not apply to new provisions.

(4) Section 154 (verification of rules) does not apply to designated provisions, but the following provisions of this article apply instead.

(5) The production of a printed copy of a designation instrument or a designated provision purporting to be made by the Authority on which is endorsed a certificate which—

- (a) is signed by a member of the Authority's staff authorised by it for that purpose; and
- (b) contains the required statement or statements,

is evidence (or in Scotland sufficient evidence) of the facts stated in the certificate.

(6) The required statements in relation to a designation instrument are—

- (a) that the instrument was made by the Authority;
- (b) that the copy is a true copy of the instrument; and
- (c) that on a specified day the instrument was published in accordance with article 3(2)(e).

(7) The required statement in relation to a copy of a designated provision is that the text set out in the document is a designated provision within the meaning of article 3.

(8) A certificate purporting to be signed as mentioned in paragraph (5) is to be taken to have been properly signed unless the contrary is shown.

(9) A person who wishes in any legal proceedings to rely on a designation instrument or on a designated provision may require the Authority to endorse a copy of that instrument or provision with a certificate of the kind mentioned in paragraph (5).