
STATUTORY INSTRUMENTS

2001 No. 3083

The Financial Services and Markets Act 2000
(Transitional Provisions and Savings) (Civil Remedies,
Discipline, Criminal Offences etc.) (No. 2) Order 2001

PART 6

INFORMATION GATHERING AND INVESTIGATIONS

Appointment of persons to carry out general investigations

17.—(1) Section 167 (appointment of persons to carry out general investigations) has effect as if—

- (a) the reference in subsection (4) to a former authorised person, so far as it applies to paragraph (a) (but not paragraph (b)) included a reference to a former regulated person; and
- (b) the reference in paragraph (a) of that subsection to an authorised person included a reference to a regulated person.

(2) The Authority may not exercise the power conferred on it by section 167 in relation to a former regulated person unless it considers that an investigation is reasonably required in connection with the exercise by the Authority of functions conferred on it by, or exercisable by the Authority by virtue of, this Order.

(3) The Secretary of State may not exercise the power conferred on him by section 167 in relation to a former regulated person.