
STATUTORY INSTRUMENTS

2001 No. 3592

The Financial Services and Markets Act 2000 (Transitional Provisions) (Partly Completed Procedures) Order 2001

PART II

AUTHORISATIONS AND RESTRICTIONS UNDER OLD LAW

CHAPTER I

APPLICATIONS, NOTICES OF INTENTION TO REFUSE AND SURRENDERS OF AUTHORISATION

Determination of applications

Procedure

9.—(1) Section 52 has effect in relation to an application, notice or request which is treated, pursuant to a provision in this Part, as an application under section 40 or 44 subject to the provisions of this article.

(2) If the body to whom the application, notice or request was originally made or sent was subject to an express requirement to determine it within a particular period and had not determined it for the purposes of that requirement before commencement—

- (a) subsection (1) of section 52 is to be read as if that period were substituted for the period of six months mentioned in that subsection;
- (b) the application is to be treated for the purposes of section 52(1) and (2) as having been received by the Authority on the date on which it was received by the body to whom it was originally made or sent.

(3) In a case where the body to whom the application, notice or request was originally made or sent was—

- (a) not subject to an express requirement to determine it within a particular period, or
- (b) was subject to such a requirement but had, for the purposes of that requirement, determined it before commencement,

the application is to be treated for the purposes of section 52(1) and (2) as if it had been received by the Authority on commencement.

(4) The application is not to be treated as incomplete for the purposes of section 52(2) if it complied with the procedure applicable to it when it was originally made or sent.

(5) The application is to be treated as incomplete for the purposes of section 52(2) if it would have been treated as incomplete for the purposes of the provision under which it was originally made or sent.

(6) Nothing in this article affects the power of the Authority to require information under section 51(4) and (6).

Changes to legislation: There are currently no known outstanding effects for the The Financial Services and Markets Act 2000 (Transitional Provisions) (Partly Completed Procedures) Order 2001, Section 9. (See end of Document for details)

Commencement Information

II Art. 9 in force at 1.12.2001, see [art. 1\(2\)](#)

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