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STATUTORY INSTRUMENTS

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**2001 No. 3649**

The Financial Services and Markets Act 2000  
(Consequential Amendments and Repeals) Order 2001

PART 3

ENACTMENTS RELATING TO PENSIONS

*Pensions Act 1995 (c. 26)*

**Receipts, record and payments: duties of pension trustees and others**

**143.**—(1) Section 49 of the Pensions Act 1995 (receipts, record and payments: duties of pension trustees and others) is amended as follows.

- (2) In subsection (1)(1), for the words from “at” to the end substitute “with a deposit-taker”.
- (3) Subsection (1A)(2) is repealed.
- (4) In subsection (5)(3), for the words “at a relevant institution” substitute “with a deposit-taker”.
- (5) After subsection (8)(4) insert—
  - “(8A) “Deposit taker” means—
    - (a) a person who has permission under Part 4 of the Financial Services and Markets Act 2000 to accept deposits;
    - (b) an EEA firm of the kind mentioned in paragraph 5(b) of Schedule 3 to that Act which has permission under paragraph 15 of that Schedule (as a result of qualifying for authorisation under paragraph 12 of that Schedule) to accept deposits;
    - (c) the Bank of England or the central bank of a member state other than the United Kingdom;
    - (d) the National Savings Bank; or
    - (e) a municipal bank, that is to say a company which was, immediately before the repeal of the Banking Act 1987 exempted from the prohibition in section 3 of that Act by virtue of section 4(1) of, and paragraph 4 of Schedule 2 to, that Act.
  - (8B) Paragraphs (a) and (b) of subsection (8A) must be read with—
    - (a) section 22 of the Financial Services and Markets Act 2000;
    - (b) any relevant order under that section; and
    - (c) Schedule 2 to that Act.”.

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(1) The words being substituted were substituted by the Welfare Reform and Pensions Act 1999 (c. 30) Sch 2 paragraph 12(1), (2).  
(2) Section 49(1A) was inserted by the Welfare Reform and Pensions Act 1999 (c. 30) Sch 2 paragraph 12(1), (3).  
(3) The words being substituted were substituted by the Welfare Reform and Pensions Act 1999 (c. 30) Sch 2 paragraph 12(1), (2).  
(4) Subsection (8) was substituted by the Welfare Reform and Pensions Act 1999 (c. 30) s. 10(1).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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