

SCHEDULE 6

CONSEQUENTIAL AMENDMENTS OF OTHER ENACTMENTS

PART 2

AMENDMENTS OF SECONDARY LEGISLATION

Amendment of the Financial Markets and Insolvency (Settlement Finality) Regulations 1999

14. In regulation 2 of the Financial Markets and Insolvency (Settlement Finality) Regulations 1999⁽¹⁾—

- (a) in paragraph (b) of the definition of “institution” for “point 2 of Article 1 of Council Directive [93/22/EEC](#) excluding the bodies set out in the list in Article 2(2)(a) to (k)” substitute “Article 4.1.1 of Directive [2004/39/EC](#) of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments, other than a person to whom Article 2 applies”;
- (b) in the definition of “securities” for “B of the Annex to Council Directive [93/22/EEC](#)” substitute “C of Annex I to Directive [2004/39/EC](#) of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments”.

Amendment of the Financial Services and Markets Act 2000 (Prescribed Markets and Qualifying Investments) Order 2001

15. In article 3 of the Financial Services and Markets Act 2000 (Prescribed Markets and Qualifying Investments) Order 2001⁽²⁾, in the definition of “regulated market”, for “Article 1(13) of the investment services directive” substitute “Article 4.1.14 of the markets in financial instruments directive”.

Amendment of the Financial Services and Markets Act 2000 (Consultation with Competent Authorities) Regulations 2001

16. In regulation 7 of the Financial Services and Markets Act 2000 (Consultation with Competent Authorities) Regulations 2001⁽³⁾, in paragraphs (3)(b)(iii) and (4)(b)(iii), for “investment services directive” substitute “markets in financial instruments directive”.

Amendment of the Insurers (Reorganisation and Winding Up) Regulations 2004

17. In regulation 44 of the Insurers (Reorganisation and Winding Up) Regulations 2004⁽⁴⁾, in paragraph (3), for “Council Directive ([93/22/EEC](#)) of 10th May 1993 in investment services in the securities field” substitute “Article 4.1.14 of Directive [2004/39/EC](#) of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments”.

Amendment of the Credit Institutions (Reorganisation and Winding up) Regulations 2004

18.—(1) The Credit Institutions (Reorganisation and Winding up) Regulations 2004⁽⁵⁾ are amended as follows.

(1) [S.I. 1999/2979](#).

(2) [S.I. 2001/996](#); the definition of “regulated market” was inserted by [S.I. 2005/381](#).

(3) [S.I. 2001/2509](#); regulation 7 was inserted by [S.I. 2004/1862](#).

(4) [S.I. 2004/353](#).

(5) [S.I. 2004/1045](#).

Status: This is the original version (as it was originally made).

(2) In regulation 29(2) for “Council Directive of 10th May 1993 on investment services in the securities field (No [93/22/EEC](#))” substitute “Article 4.1.14 of Directive [2004/39/EC](#) of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments”.

(3) In regulation 31(3) for “Section B of the Annex to the Council Directive of 10th May 1993 on investment services in the securities field (No [93/22/EEC](#))” substitute “Section C of Annex I to Directive [2004/39/EC](#) of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments”.

Amendment of the Financial Conglomerates and Other Financial Groups Regulations 2004

19.—(1) The Financial Conglomerates and Other Financial Groups Regulations 2004⁽⁶⁾ are amended as follows.

(2) In regulation 1(2), in paragraph (d) of the definition of “regulated entity”, for “Article 1(2) of the investment services directive” substitute “Article 4.1.1 of the markets in financial instruments directive”.

(3) In regulation 7(1), in paragraph (b) of the definition of “investment firm”, for “investment services directive” substitute “markets in financial instruments directive”.

Amendment of the Investment Recommendation (Media) Regulations 2005

20. In regulation 2 of the Investment Recommendation (Media) Regulations 2005⁽⁷⁾, in the definition of “financial instrument”, for “1(13) of Council Directive [93/22/EEC](#) on investment services in the securities field” substitute “4.1.14 of Directive [2004/39/EC](#) of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments”.

⁽⁶⁾ [S.I. 2004/1862](#); the definition of “regulated entity” in regulation 1(2) was amended by [S.I. 2006/3221](#).

⁽⁷⁾ [S.I. 2005/382](#).