

SCHEDULE 4

Amendments to primary and secondary legislation

PART 2

Amendments to secondary legislation

The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001

12. The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001⁽¹⁾ is amended as follows—

- (a) in article 3(1)—
 - (i) in the definition of “credit institution” after “banking consolidation directive” insert “(as last amended by Directive 2009/111/EC)”;
 - (ii) for the definition of “electronic money” substitute—

““electronic money” has the meaning given by regulation 2(1) of the Electronic Money Regulations 2011.”;
- (b) in article 9AB—
 - (i) in paragraph (1), for “or a small payment institution” substitute “, a small payment institution, an electronic money institution or an EEA authorised electronic money institution”; and
 - (ii) in paragraph (2), at the end insert—

“and “electronic money institution” and “EEA authorised electronic money institution” have the meanings given in the Electronic Money Regulations 2011.”
- (c) in article 9B after “money” insert—

“by—

 - (a) a credit institution, a credit union or a municipal bank; or
 - (b) a person who is deemed to have been granted authorisation under regulation 74 of the Electronic Money Regulations 2011 or who falls within regulation 76(1) of those Regulations.”;
- (d) after 9B insert—

“**9BA.** Articles 9C to 9I and 9K apply only in the case of a person falling within regulation 76(1) of the Electronic Money Regulations 2011.”;
- (e) omit article 9L.

⁽¹⁾ S.I. 2001/544; relevant amending instruments are S.I. 2002/682, 2002/1776 and 2009/209.