

## SCHEDULE 2

### Amendments to the Financial Services and Markets Act 2000

#### Amendments to Part 6 (official listing)

6. In section 86(7) <sup>M1</sup> (exempt offers to the public) for subsection (d) substitute—
- “(d) a person whom—
- (i) any relevant firm was authorised to continue to treat as a professional client immediately before 3 January 2018 by virtue of Article 71.6 (transitional provisions) of Directive 2004/39/EC on markets in financial instruments <sup>M2</sup>; and
  - (ii) the firm may continue to treat as a professional client from 3 January 2018 by virtue of Section II.2 of Annex II to the markets in financial instruments directive.”.

#### Marginal Citations

- M1** Section 86(7) was inserted S.I. 2005/1433 and amended by S.I. 2012/1538.  
**M2** OJ L145 30.4.2004 p.1.

**Changes to legislation:**

The Financial Services and Markets Act 2000 (Markets in Financial Instruments) Regulations 2017, Paragraph 6 is up to date with all changes known to be in force on or before 29 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 15A inserted by [2023 c. 29 Sch. 2 para. 45](#)
- reg. 16(1A)(1B) omitted by [2023 c. 29 Sch. 2 para. 46\(4\)](#)