
STATUTORY INSTRUMENTS

2019 No. 632

The Financial Services and Markets Act 2000 (Amendment) (EU Exit) Regulations 2019

PART 5

Amendments to other secondary legislation

The Financial Services and Markets Act 2000 (Qualifying EU Provisions) (No. 2) Order 2013

190.—(1) The Financial Services and Markets Act 2000 (Qualifying EU Provisions) (No. 2) Order 2013 ^{M1} is amended as follows.

(2) In the title and in article 1(1) for “(Qualifying EU Provisions)” substitute “ (Qualifying Provisions) ”.

(3) In article 1, after paragraph (2) insert—

“(3) In paragraph (2) the references to the CRA Regulation and the capital requirements regulation are to be treated as references to those regulations as they have effect at the beginning of the day on which the Financial Services and Markets Act 2000 (Amendment) (EU Exit) Regulations 2019 are made (but see regulation 2 of the European Union (Withdrawal) Act 2018 (Consequential Modifications and Repeals and Revocations) Regulations 2019 ^{M2}, which may further update the references).

(4) In paragraph (2) in the definition of “the CRD4 instruments”—

(a) the reference to any directly applicable regulation made under the capital requirements regulation is a reference to—

- (i) any EU regulation, originally made under the capital requirements regulation, which is retained direct EU legislation,
- (ii) any technical standards made in relation to the capital requirements regulation in accordance with Chapter 2A of Part 9A of the Act, and
- (iii) any subordinate legislation (within the meaning of the Interpretation Act 1978) which is made under a power substituted for a power of an EU entity to make a directly applicable regulation under the capital requirements regulation by regulations made under section 8 of the European Union (Withdrawal) Act 2018;

(b) the reference to any directly applicable regulation made under the capital requirements directive is a reference to—

- (i) any EU regulation, originally made under the capital requirements directive, which is retained direct EU legislation,
- (ii) any technical standards made in relation to the capital requirements directive in accordance with Chapter 2A of Part 9A of the Act, and
- (iii) any subordinate legislation (within the meaning of the Interpretation Act 1978) which is made under a power substituted for a power of an EU entity

Changes to legislation: The Financial Services and Markets Act 2000 (Amendment) (EU Exit) Regulations 2019, Section 190 is up to date with all changes known to be in force on or before 03 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. (See end of Document for details) View outstanding changes

to make a directly applicable regulation under the capital requirements directive by regulations made under section 8 of the European Union (Withdrawal) Act 2018.”.

(4) In articles 2 and 3^{M3} (qualifying EU provisions) and in the heading of article 2 for “qualifying EU provisions” substitute “qualifying provisions”.

(5) In article 2 after “for the purposes of” insert “regulation 206(1)(a) of the Financial Services and Markets Act 2000 (Amendment) (EU Exit) Regulations 2019 and”.

(6) In article 3, after “for the purposes of” insert “regulation 206(1)(a) of the Financial Services and Markets Act 2000 (Amendment) (EU Exit) Regulations 2019 and”.

Modifications etc. (not altering text)

C1 Pts. 3-6 modified in part (31.12.2020) by [The Gibraltar \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/680\)](#), regs. 1(2), **11(1)(4)(5)** (with reg. 11(8)-(10)) (as amended by [S.I. 2020/1301](#), regs. 1, 3, Sch. para. 40(f)); 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I1 Reg. 190(1)(2)(4)-(6) in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(3\)](#)

I2 Reg. 190(3) in force for specified purposes at 23.3.2019, see [reg. 1\(2\)\(i\)](#)

I3 Reg. 190(3) in force in so far as not already in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(3\)](#)

Marginal Citations

M1 [S.I. 2013/3116](#).

M2 [S.I. 2019/628](#).

M3 Articles 2 and 3 were amended by [S.I. 2016/1023](#).

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Changes and effects yet to be applied to :

- Regulations revoked by [2023 c. 29 Sch. 1 Pt. 2](#)