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DRAFT STATUTORY INSTRUMENTS

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**2013 No.**

The Financial Services and Markets Act 2000  
(Regulated Activities) (Amendment) (No.2) Order 2013

PART 8

Transitional provisions

CHAPTER 2

Licensing etc.

**Compulsory variation of a licence where determination to vary made before 1st April 2014**

**36.**—(1) Paragraphs (2) to (4) apply if, before 1st April 2014—

- (a) the OFT had given notice of its determination under section 31 of the 1974 Act<sup>(1)</sup> to vary the terms of the licence of a person (“A”),
- (b) the appeal period in relation to that determination had not ended, and

A is a relevant person.

(2) The notice is to be treated as a written notice given under section 55Y(7) of the Act by the FCA of its decision to vary A’s Part 4A permission (except for subsection (9) of section 55Y which does not apply).

(3) But if A had, before 1st April 2014, submitted a notice of appeal to the First-tier Tribunal under section 41 of the 1974 Act (appeals to First-tier Tribunal under Part 3), section 55Z3 of the Act (right to refer matters to the Tribunal) does not apply.

(4) The notice has effect subject to any necessary modifications.