

Status: Point in time view as at 19/06/1995.

Changes to legislation: Financial Services Act 1986 (Repealed), Cross Heading: Legislative functions is up to date with all changes known to be in force on or before 22 May 2024.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)

SCHEDULES

SCHEDULE 9

DESIGNATED AGENCIES: STATUS AND EXERCISE OF TRANSFERRED FUNCTIONS

Legislative functions

- 4 (1) A designated agency shall send the Secretary of State a copy of [^{F1}any statements of principles, rules, regulations, or codes of practice issued or made] by it by virtue of functions transferred to it by a delegation order and give him written notice of any amendment or revocation of or addition to any such rules or regulations.
- (2) A designated agency shall—
- (a) send the Secretary of State a copy of any guidance issued by the agency which is intended to have continuing effect and is issued in writing or other legible form; and
 - (b) give him written notice of any amendment, revocation of or addition to guidance issued by it;
- but notice need not be given of the revocation of guidance other than such as is mentioned in paragraph (a) above or of any amendment or addition which does not result in or consist of such guidance as is there mentioned.

Textual Amendments

F1 Words substituted by [Companies Act 1989 \(c. 40, SIF 27\)](#), s. 206(1), [Sch. 23 para. 24\(2\)](#)

- [^{F25} Paragraphs 6 to 9 below have effect instead of section 205A of this Act in relation to statements of principle, rules, regulations and codes of practice issued or made by a designated agency in the exercise of powers transferred to it by a delegation order.]

Textual Amendments

F2 [Sch. 9 paras. 5, 6](#) substituted by [Companies Act 1989 \(c. 40, SIF 27\)](#), s. 206(1), [Sch. 23 para. 24\(3\)](#)

- 6 Any such power is exercisable by instrument in writing and includes power to make different provision for different cases.
- 7 The instrument shall specify the provision of this Act under which it is made.

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- 8 (1) Immediately after an instrument [F3: is issued or made] it shall be printed and made available to the public with or without payment.
- (2) A person shall not be taken to have contravened any [F4: statement of principle, rule, regulation or code of practice] if he shows that at the time of the alleged contravention the instrument containing the [F4: statement of principle, rule, regulation or code of practice] had not been made available as required by this paragraph.

Textual Amendments

- F3** Words substituted by [Companies Act 1989 \(c. 40, SIF 27\)](#), s. 206(1), [Sch. 23 para. 24\(4\)\(a\)](#)
- F4** Words substituted by [Companies Act 1989 \(c. 40, SIF 27\)](#), s. 206(1), [Sch. 23 para. 24\(4\)\(b\)](#)

- 9 (1) The production of a printed copy of an instrument purporting to be [F5: made or issued by the agency] on which is endorsed a certificate signed by an officer of the agency authorised by it for that purpose and stating—
- (a) that the instrument was [F5: made or issued by the agency];
 - (b) that the copy is a true copy of the instrument; and
 - (c) that on a specified date the instrument was made available to the public as required by paragraph 8 above,
- shall be prima facie evidence, or, in Scotland, sufficient evidence of the facts stated in the certificate.
- (2) Any certificate purporting to be signed as mentioned in sub-paragraph (1) above shall be deemed to have been duly signed unless the contrary is shown.
- (3) Any person wishing in any legal proceedings to cite an instrument made by the agency may require the agency to cause a copy of it to be endorsed with such a certificate as is mentioned in this paragraph.

Textual Amendments

- F5** Words substituted by [Companies Act 1989 \(c. 40, SIF 27\)](#), s. 206(1), [Sch. 23 para. 24\(5\)](#)

Modifications etc. (not altering text)

- C1** By [Companies Act 1989 \(c. 40, SIF 27\)](#), s. 206(1), [Sch. 23 para. 24\(5\)](#) it is provided that in paragraph 9 for “made by the agency” (twice) there is substituted “made or issued by the agency”

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