



Financial Services and Markets Act 2000

2000 CHAPTER 8

[^{F1}PART 9A

RULES AND GUIDANCE

[^{F1}CHAPTER 5

POWER TO MAKE CONSEQUENTIAL AMENDMENTS

Textual Amendments

- F1** Pt. 9A substituted for ss. 138-164 (24.1.2013 for specified purposes, 1.4.2013 in so far as not already in force) by [Financial Services Act 2012 \(c. 21\)](#), **ss. 24(1), 122(3)** (with [Sch. 20](#)); [S.I. 2013/113](#), art. 2(1)(c), [Sch. Pt. 3](#); [S.I. 2013/423](#), art. 3, [Sch.](#)

Modifications etc. (not altering text)

- C1** Pt. 9A applied (1.7.2021) by Regulation (EU) No. 600/2014, Art. 49A(12) (as inserted by [Financial Services Act 2021 \(c. 22\)](#), s. 49(5), **Sch. 10 para. 9**; [S.I. 2021/739](#), reg. 3(o))

141A Power to make consequential amendments of references to rules etc.

- (1) This section applies if—
- (a) a provision of primary or subordinate legislation (whenever passed or made) contains a reference (however expressed) to rules of either regulator or to guidance of the FCA,
 - (b) it appears to the Treasury or the Secretary of State that the reference requires amendment in consequence of the exercise by that regulator of its power under this Part to make, alter or revoke its rules or the exercise by the FCA of its power to make, alter or revoke its guidance.
- (2) The Treasury or the Secretary of State may by order make such amendment of the legislation referred to in subsection (1)(a) as appears to them to be necessary or

Status: Point in time view as at 18/09/2023.

Changes to legislation: Financial Services and Markets Act 2000, CHAPTER 5 is up to date with all changes known to be in force on or before 17 April 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)

expedient in consequence of the exercise by the regulator of the power mentioned in subsection (1)(b).

- (3) The power conferred by subsection (2) includes power—
- (a) to replace a reference to the rules of one regulator with a reference to the rules of the other regulator or to the rules of both regulators;
 - (b) to replace a reference to the rules of both regulators with a reference to the rules of one regulator.
- (4) In subsection (1)(a) “subordinate legislation” does not include rules of either regulator.

[A regulator's power under Part 2 of the Powers Regulations to amend its rules is treated ^{F2}(5) for the purposes of this section as a power under this Part; and for this purpose “the Powers Regulations” means the Financial Regulators' Powers (Technical Standards etc.) (Amendment etc.) (EU Exit) Regulations 2018 (S.I. 2018/1115).]

Textual Amendments

- F2** S. 141A(5) inserted (31.12.2020) by [The Financial Services and Markets Act 2000 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/632\)](#), regs. 1(3), **41**; 2020 c. 1, Sch. 5 para. 1(1)

Modifications etc. (not altering text)

- C2** S. 141A applied (with modifications) (13.8.2017 for specified purposes, 13.1.2018 in so far as not already in force) by [The Payment Services Regulations 2017 \(S.I. 2017/752\)](#), reg. 1(2)(b)(ii)(6), **Sch. 6 para. 3(2)** (with reg. 3)) (as amended (18.9.2023) by [The Electronic Money, Payment Card Interchange Fee and Payment Services \(Amendment\) Regulations 2023 \(S.I. 2023/790\)](#), regs. 1(2)(a), **4(5)(a)(iii)**)
- C3** S. 141A applied (with modifications) by [S.I. 2011/99](#), **Sch. 3 para. 2A(2)(3)** (as inserted (13.8.2017 for specified purposes, 13.10.2017 for specified purposes, 13.1.2018 in so far as not already in force) by [The Payment Services Regulations 2017 \(S.I. 2017/752\)](#), reg. 1(2)(c)(iii)(3)(f)(i)(6), **Sch. 8 para. 5(31)(a)** (with reg. 3) and as amended (18.9.2023) by [The Electronic Money, Payment Card Interchange Fee and Payment Services \(Amendment\) Regulations 2023 \(S.I. 2023/790\)](#), regs. 1(2)(a), **2(3)(a)(iii)-(v)**)
- C4** S. 141A applied (1.7.2021) by Regulation (EU) No. 648/2012, Art. 84b(1)(2) (as inserted by [Financial Services Act 2021 \(c. 22\)](#), **ss. 40(4)**, 49(5); [S.I. 2021/739](#), reg. 3(v))
- C5** S. 141A applied (1.7.2021) by Regulation (EU) No. 600/2014, Art. 50D (as inserted by [Financial Services Act 2021 \(c. 22\)](#), s. 49(5), **Sch. 10 para. 12** (with Sch. 10 para. 13); [S.I. 2021/739](#), reg. 3(o))
- C6** S. 141A applied (1.7.2021) by Regulation (EU) No. 1286/2014, Art. 4A(2)(3) (as inserted by [Financial Services Act 2021 \(c. 22\)](#), **ss. 38(2)**, 49(5) (with s. 38(3)); [S.I. 2021/739](#), reg. 3(t))

[^{F3}141B Power to consequentially amend enactments

- (1) The Treasury may by regulations make provision amending an enactment that is consequential on rules.
- (2) In this section—
- “enactment” includes—
 - (a) an enactment comprised in subordinate legislation,
 - (b) retained direct EU legislation,
 - (c) an enactment comprised in, or in an instrument made under, a Measure or Act of Senedd Cymru,

Status: Point in time view as at 18/09/2023.

Changes to legislation: Financial Services and Markets Act 2000, CHAPTER 5 is up to date with all changes known to be in force on or before 17 April 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)

- (d) an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament, and
 - (e) an enactment comprised in, or in an instrument made under, Northern Ireland legislation;
- “subordinate legislation” has the same meaning as in the Interpretation Act 1978 (see section 21 of that Act) but does not include rules of either regulator.]

Textual Amendments

F3 S. 141B inserted (29.8.2023) by [Financial Services and Markets Act 2023 \(c. 29\)](#), **ss. 65(2)**, 86(3); S.I. 2023/779, reg. 4(qq)

Status:

Point in time view as at 18/09/2023.

Changes to legislation:

Financial Services and Markets Act 2000, CHAPTER 5 is up to date with all changes known to be in force on or before 17 April 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.