

*Status: Point in time view as at 01/04/2010.*

*Changes to legislation: Financial Services and Markets Act 2000, Cross Heading: Passporting is up to date with all changes known to be in force on or before 01 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)*



# Financial Services and Markets Act 2000

## 2000 CHAPTER 8

### PART VI

#### OFFICIAL LISTING

#### *[<sup>F1</sup>Passporting*

#### Textual Amendments

**F1** Ss. 84-87R and cross-headings substituted for ss. 84-87 (1.7.2005) by [The Prospectus Regulations 2005 \(S.I. 2005/1433\)](#), reg. 2(1), [Sch. 1 para. 5](#)

#### **87H Prospectus approved in another EEA State**

- (1) A prospectus approved by the competent authority of an EEA State other than the United Kingdom is not an approved prospectus for the purposes of section 85 unless that authority has provided the competent authority with—
  - (a) a certificate of approval;
  - (b) a copy of the prospectus as approved; and
  - (c) if requested by the competent authority, a translation of the summary of the prospectus.
- (2) A document is not a certificate of approval unless it states that the prospectus—
  - (a) has been drawn up in accordance with the prospectus directive; and
  - (b) has been approved, in accordance with that directive, by the competent authority providing the certificate.
- (3) A document is not a certificate of approval unless it states whether (and, if so, why) the competent authority providing it authorised, in accordance with the prospectus directive, the omission from the prospectus of information which would otherwise have been required to be included.

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- (4) “Prospectus” includes a supplementary prospectus.

## **871 Provision of information to host Member State**

- (1) The competent authority must, if requested to do so, supply the competent authority of a specified EEA State with—
- (a) a certificate of approval;
  - (b) a copy of the specified prospectus (as approved by the competent authority); and
  - (c) a translation of the summary of the specified prospectus (if the request states that one has been requested by the other competent authority).
- (2) Only the following may make a request under this section—
- (a) the issuer of the transferable securities to which the specified prospectus relates;
  - (b) a person who wishes to offer the transferable securities to which the specified prospectus relates to the public in an EEA State other than (or as well as) the United Kingdom;
  - (c) a person requesting the admission of the transferable securities to which the specified prospectus relates to a regulated market situated or operating in an EEA State other than (or as well as) the United Kingdom.
- (3) A certificate of approval must state that the prospectus—
- (a) has been drawn up in accordance with this Part and the prospectus directive; and
  - (b) has been approved, in accordance with those provisions, by the competent authority.
- (4) A certificate of approval must state whether (and, if so, why) the competent authority authorised, in accordance with section 87B, the omission from the prospectus of information which would otherwise have been required to be included.
- (5) The competent authority must comply with a request under this section—
- (a) if the prospectus has been approved before the request is made, within 3 working days beginning with the date of the request; or
  - (b) if the request is submitted with an application for the approval of the prospectus, on the first working day after the date on which it approves the prospectus.
- (6) “Prospectus” includes a supplementary prospectus.
- (7) “Specified” means specified in a request made for the purposes of this section.]

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