



Financial Services and Markets Act 2000

2000 CHAPTER 8

PART VI

OFFICIAL LISTING

[^{F1}Power of [^{F2}FCA] to call for information

[^{F1}89J Power to call for information: supplementary provisions

- (1) The [^{F2}FCA] may require an issuer to make public any information provided to [^{F2}the FCA] under section 89H.
- (2) If the issuer fails to comply with a requirement under subsection (1), the [^{F2}FCA] may, after seeking representations from the issuer, make the information public.
- (3) In sections 89H and 89I (power of [^{F2}FCA] to call for information)—
 - “control” and “controlled” have the meaning given by subsection (4) below;
 - “specified” means specified in the notice;
 - “voteholder” means a person who—
 - (a) holds voting rights in respect of any voting shares for the purposes of sections 89A to 89G (transparency rules), ^{F3}...
 - (b) ^{F3}...
- (4) For the purposes of those sections a person (“A”) controls another person (“B”) if—
 - (a) A holds a majority of the voting rights in B,
 - (b) A is a member of B and has the right to appoint or remove a majority of the members of the board of directors (or, if there is no such board, the equivalent management body) of B,
 - (c) A is a member of B and controls alone, pursuant to an agreement with other shareholders or members, a majority of the voting rights in B, or
 - (d) A has the right to exercise, or actually exercises, dominant influence or control over B.

Status: Point in time view as at 07/03/2016.

Changes to legislation: Financial Services and Markets Act 2000, Section 89J is up to date with all changes known to be in force on or before 12 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)

- (5) For the purposes of subsection (4)(b)—
- (a) any rights of a person controlled by A, and
 - (b) any rights of a person acting on behalf of A or a person controlled by A,
- are treated as held by A.]

Textual Amendments

- F1** Ss. 89H-89J and cross-heading inserted (8.11.2006) by [Companies Act 2006 \(c. 46\)](#), **ss. 1267, 1300(1)(a)**
- F2** Words in ss. 89A-97 substituted (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.16(2)(3)(g), 122(3)** (with [Sch. 20](#)); [S.I. 2013/113](#), [art. 2\(1\)\(c\)](#), [Sch. Pt. 3](#); [S.I. 2013/423](#), [art. 3](#), [Sch.](#)
- F3** Words in s. 89J(3) omitted (1.11.2015 for specified purposes, 26.11.2015 in so far as not already in force) by virtue of [The Transparency Regulations 2015 \(S.I. 2015/1755\)](#), [regs. 1\(2\)\(3\), 2\(5\)](#)

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