

Status: This version of this part contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Financial Services Act 2010, Part 2. (See end of Document for details)

SCHEDULES

SCHEDULE 2

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 2

AMENDMENTS OF OTHER LEGISLATION

PROSPECTIVE

Consumer Credit Act 1974

- 36 In section 25(2A)(b) of the Consumer Credit Act 1974 (evidence as to whether a licensee is a fit person), after sub-paragraph (i) insert—
“(ia) paragraph 13 of Schedule 1A to the Financial Services and Markets Act 2000;”.

Contracting Out (Functions Relating to National Savings) Order 1998

- 37 In article 3 of the Contracting Out (Functions Relating to National Savings) Order 1998 (contracting out of functions), after paragraph (2) insert—
“(3) Any function conferred on the Director under rules made under section 38(7) of the Administration of Justice Act 1982 (court funds rules) may be exercised by, or by employees of, such person (if any) as may be authorised in that behalf by the Director.”

Financial Services and Markets Act 2000 (Markets in Financial Instruments) (Modification of Powers) Regulations 2006

- 38 In the Financial Services and Markets Act 2000 (Markets in Financial Instruments) (Modification of Powers) Regulations 2006, omit regulation 3(b)(ii) (which made an amendment of the Financial Services and Markets Act 2000 superseded by this Act).

Banking Act 2009

- 39 The Banking Act 2009 is amended as follows.
40 In section 1(6) (table describing provisions of Part 1), in the entry relating to sections 33 to 48, for “48” substitute “48A”.

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- 41 In section 61(2)(b) (sources of compensation), for the words from “subject” to “below),” substitute “ subject to section 214C of the Financial Services and Markets Act 2000 (limit on amount of special resolution regime payments), ”.
- 42 In section 83(2)(h) (supplemental), omit “- inserted by section 171 below”.
- 43 Omit section 171 (which made amendments of the Financial Services and Markets Act 2000 superseded by this Act).
- 44 In section 183(c) (interpretation of expressions for purposes of Part 5), omit “to “the financial system””.
- 45 In section 204(1)(a) (inter-bank payment systems: information), after “order” insert “ or an order under section 206A ”.
- 46 Omit section 248 (which made an amendment of the Financial Services and Markets Act 2000 superseded by this Act).
- 47 In section 250(2) (collection of information by FSA relevant to financial stability)
 —
 (a) after “section 165” insert “ or 165A ”, and
 (b) after “as qualified” insert “ , in the case of the section 165 power, ”.
- 48 (1) Section 259 (statutory instruments) is amended as follows.
 (2) In the table in subsection (3), omit the entry relating to section 171.
 (3) In that table, after the entry relating to section 204 insert—
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- | | | |
|-------|--|-------------------------------|
| “206A | Services forming part of recognised inter-bank payment systems | Draft affirmative resolution” |
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-
- (4) In subsection (5), omit paragraph (o) and the “and” before it.

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