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**Changes to legislation:** Financial Services Act 2012, Paragraph 1 is up to date with all changes known to be in force on or before 03 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) View outstanding changes

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## SCHEDULES

### SCHEDULE 12 **U.K.**

#### AMENDMENTS OF PARTS 11 AND 23 OF FSMA 2000

##### PART 1 **U.K.**

###### PART 11 OF FSMA 2000: INFORMATION GATHERING AND INVESTIGATIONS

- 1 (1) Section 165 (power to require information) is amended as follows.
  - (2) In subsection (1), for “The Authority” substitute “ Either regulator ”.
  - (3) In subsection (3), for “Authority” substitute “ regulator ”.
  - (4) In subsection (4), for “the Authority” substitute “ either regulator ”.
  - (5) In subsections (5) and (6) for “The Authority”, in each place, substitute “ The regulator in question ”.
  - (6) In subsection (7), for the words from “exercised” to the end substitute “exercised—
    - (a) by either regulator, to impose requirements on a person who is connected with an authorised person;
    - (b) by the FCA, to impose requirements on an operator, trustee or depositary of a scheme recognised under section 270 or 272 who is not an authorised person;
    - (c) by the FCA, to impose requirements on a recognised investment exchange;
    - (d) by the FCA, to impose requirements on a person who is connected with a recognised investment exchange.”.
  - (7) In subsection (9)—
    - (a) for “the Authority”, in the first place, substitute “ the regulator exercising the power ”,
    - (b) for “the Authority's” substitute “that regulator's”, and
    - (c) for “the Authority”, in the second place, substitute “ that regulator ”.
  - (8) In subsection (11)—
    - (a) in the opening words, for “an authorised person” substitute “ another person ”, and
    - (b) in paragraph (d), at the end insert “ (reading references in that Part to the authorised person as references to A) ”.
  - (9) In the heading, for “Authority's” substitute “Regulators”.

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#### **Commencement Information**

**II** [Sch. 12 para. 1](#) in force at 1.4.2013 by [S.I. 2013/423](#), art. 3, [Sch.](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act power to apply conferred (temp.) by [2014 c. 21 s. 79\(4\)](#)
- Act power to apply conferred (temp.) by [2014 c. 21 s. 81\(10\)](#)