

Status: Point in time view as at 01/04/2013.

Changes to legislation: Financial Services Act 2012, Paragraph 19 is up to date with all changes known to be in force on or before 23 May 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)

SCHEDULES

SCHEDULE 14

AMENDMENTS OF PART 24 OF FSMA 2000: INSOLVENCY

- 19 (1) Section 371 (power to participate in proceedings: winding up by the court) is amended as follows.
- (2) In subsection (1)—
- (a) omit “other than the Authority”, and
 - (b) in paragraph (a), after “authorised person” insert “or recognised investment exchange”.
- (3) In subsections (2) to (5), for “Authority” substitute “appropriate regulator”.
- (4) After subsection (5) insert—
- “(6) The appropriate regulator” means—
- (a) for the purposes of subsections (2), (3) and (5)—
 - (i) where the body is a PRA-regulated person, each of the FCA and the PRA, and
 - (ii) in any other case, the FCA;
 - (b) for the purposes of subsection (4)—
 - (i) where the body is a PRA-regulated person, the FCA or the PRA, and
 - (ii) in any other case, the FCA.
- (7) But where the petition was presented by a regulator “the appropriate regulator” does not include the regulator which presented the petition.”
- (5) In the heading, for “Authority's powers” substitute “Powers of FCA and PRA”.

Commencement Information

II Sch. 14 para. 19 in force at 1.4.2013 by S.I. 2013/423, art. 3, Sch.

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