
STATUTORY INSTRUMENTS

1990 No. 1493

FINANCIAL SERVICES

**The Financial Services Act 1986 (Restriction
of Scope of Act and Meaning of Collective
Investment Scheme)(No. 2) Order 1990**

<i>Made</i>	- - - -	<i>24th July 1990</i>
<i>Laid before Parliament</i>		<i>24th July 1990</i>
<i>Coming into force</i>	- -	<i>25th July 1990</i>

The Secretary of State, in exercise of the powers conferred on him by sections 2 and 75(9) of the Financial Services Act 1986⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Financial Services Act 1986 (Restriction of Scope of Act and Meaning of Collective Investment Scheme) (No. 2) Order 1990 and shall come into force on 25th July 1990.

(2) In this Order, “the Act” means the Financial Services Act 1986.

Employee share schemes in the electricity industry

2. In paragraph 35 of Schedule 1 to the Act⁽²⁾ after paragraph (e) there shall be added the following paragraph—

“(f) arrangements where—

- (i) each of the participants is a bona fide employee or former employee (or the wife, husband, widow, widower, or child (including, in Northern Ireland, adopted child) or step-child under the age of eighteen of such an employee or former employee) of any of the following bodies corporate, that is to say, The National Grid Company plc, Electricity Association Services Limited or any other body corporate in the same group as either of them and which is operated by any of those bodies corporate; and

⁽¹⁾ 1986 c. 60.

⁽²⁾ Paragraph 35 was added to Schedule 1 to the Financial Services Act 1986 by article 7 of the Financial Services Act 1986 (Restriction of Scope of Act and Meaning of Collective Investment Scheme) Order 1990 (S.I.1990/349).

- (ii) the property to which the arrangements relate consists of shares or debentures (as defined in paragraph 20(4) above) in or of a body corporate which is an electricity successor company for the purposes of Part II of the Electricity Act 1989⁽³⁾ or a body corporate which would be regarded as connected with such an electricity successor company for the purposes of paragraph 20 above.

and for the purposes of this paragraph references to former employees shall have the same meaning as in the Financial Services Act 1986 (Electricity Industry Exemptions) Order 1990⁽⁴⁾.”.

Sale of goods and supply of services

3. Paragraph 19 of Schedule 1 to the Act⁽⁵⁾ shall be amended by the substitution, in paragraph 19(3)(a), of the figure “5” for the figure “6”.

Revocation

4. Article 4 of the Financial Services Act 1986 (Restriction of Scope of Act and Meaning of Collective Investment Scheme) Order 1990⁽⁶⁾ is hereby revoked.

24th July 1990

John Redwood
Parliamentary Under Secretary of State,
Department of Trade and Industry

⁽³⁾ 1989 c. 29.

⁽⁴⁾ S.I. 1990/1492.

⁽⁵⁾ Paragraph 19 of Schedule 1 to the Financial Services Act 1986 has been amended by article 3 of the Financial Services Act 1986 (Extension of Scope of Act and Meaning of Collective Investment Scheme) Order 1988 (S.I. 1988/496) and by article 4 of the Financial Services Act 1986 (Restriction of Scope of Act and Meaning of Collective Investment Scheme) Order 1990 (S.I. 1990/349). The latter amendment is revoked by article 4 of the present order.

⁽⁶⁾ S.I. 1990/349.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order excludes the employee share schemes described in article 2 of the Order from the scope of the provisions of the Financial Services Act 1986 relating to collective investment schemes.

Article 3 of the Order corrects an error contained in article 4 of the Financial Services Act 1986 (Restriction of Scope of Act and Meaning of Collective Investment Scheme) Order 1990. Article 4 is consequential upon the provisions of article 3.