
STATUTORY INSTRUMENTS

2001 No. 3646

The Financial Services and Markets Act 2000
(Transitional Provisions and Savings) (Information
Requirements and Investigations) Order 2001

PART 2

INFORMATION AND REPORT REQUIREMENTS

Section 104 of the Financial Services Act

- 3.—(1) Any outstanding requirement to which this paragraph applies is to be treated—
- (a) as a relevant requirement for the purposes of Part XXV of the Act (injunctions); and
 - (b) if the requirement was imposed on a person who is, immediately after commencement, an authorised person, as a requirement imposed on him by or under the Act for the purposes of section 205 of the Act (public censure).
- (2) Paragraph (1) applies to a requirement to furnish information imposed under—
- (a) section 104(1) of the Financial Services Act(1); or
 - (b) paragraph 24 of Schedule 11 to that Act(2).
- (3) Any outstanding requirement imposed on a recognised professional body under section 104(2) of the Financial Services Act—
- (a) is to be treated for the purposes of section 380(2) of the Act (injunctions) as a relevant requirement; and
 - (b) is to be treated for the purposes of section 398 of the Act (misleading the Authority) as a requirement imposed by or under the Act (and subsection (2) of that section does not apply).
- (4) Any outstanding requirement imposed on a recognised investment exchange or recognised clearing house (in each case, within the meaning of the Financial Services Act) under section 104(2) of that Act is to be treated for the purposes of section 398 of the Act (misleading the Authority) as a requirement imposed by or under the Act (and subsection (2) of that section does not apply).

(1) Amended by S.I.1996/2827; modified by the 2BCD Regulations; S.I. 1994/1696; and by the ISD Regulations. Functions transferred by S.I. 1987/942.

(2) Amended by the Friendly Societies Act 1992 (c. 40) paragraph 10, Schedule 18.