STATUTORY INSTRUMENTS

2001 No. 3649

The Financial Services and Markets Act 2000 (Consequential Amendments and Repeals) Order 2001

PART 2

AMENDMENTS TO THE COMPANIES LEGISLATION

The Companies' Act 1989 (c. 40)

Power to make provision about certain charges other than market charges

85.—(1) Section 176 of the Companies Act 1989 (power to make provision about certain other charges) is amended as follows.

(2) In paragraph (b) of subsection (2)—

(a) the words "Financial Services" are repealed(**1**); and

(b) for "section 171" substitute "section 301 of the Financial Services and Markets Act 2000".

(3) For paragraphs (d) and (e) of that subsection substitute—

"(d)   a person who has permission under Part 4 of the Financial Services and Markets Act 2000 to carry on a relevant regulated activity, or

(e) an international securities self-regulating organisation approved for the purposes of an order made under section 22 of the Financial Services and Markets Act 2000,".

(4) In subsection (6)(**2**)—

(a) the words "Financial Services" are repealed; and

(b) for "section 171" substitute "section 301 of the Financial Services and Markets Act 2000".

(5) After subsection (7) insert—

"(8) For the purposes of subsection (2)(d), "relevant regulated activity" means—

(a) dealing in investments as principal or as agent;

(b) arranging deals in investments;

(c) managing investments;

(d) safeguarding and administering investments;

(e) sending dematerialised instructions; or

(f) establishing etc. a collective investment scheme.

(9) Subsection (8) must be read with—

(a) section 22 of the Financial Services and Markets Act 2000;

(**1**)   The words repealed were substituted by the Bank of England Act 1998 (c. 11), Schedule 5 paragraph 48(2).
(**2**)   Subsection (6) was substituted by the Bank of England Act 1998 (c. 11), Schedule 5 paragraph 48(3).

(b) any relevant order under that section; and

(c) Schedule 2 to that Act.".