

SCHEDULE

Application and modification of legislation

PART 3

Application and modification of secondary legislation

The Financial Services and Markets Act 2000 (Service of Notices) Regulations 2001

9. The Financial Services and Markets Act 2000 (Service of Notices) Regulations 2001(1) apply to any notice, direction or document of any kind given by or to the Authority under these Regulations as they apply to any notice, direction or document of any kind under the 2000 Act.

The Financial Services and Markets Act 2000 (Disclosure of Confidential Information) Regulations 2001

10. The Financial Services and Markets Act 2000 (Disclosure of Confidential Information) Regulations 2001(2) apply with the following modifications—

- (a) in paragraph (a) of the definition of “overseas regulatory authority” in regulation 2, after “of the Act” insert “or any function conferred under national legislation in implementation of the Community Regulation”; and
- (b) in regulation 5(4)(a) for “an authorised person, former authorised person or former regulated person” substitute “a payment service provider or former payment service provider”;
- (c) in regulation 5(6)(e) for “an authorised person, former authorised person or former regulated person” substitute “a payment service provider or former payment service provider”;
- (d) in regulation 8 after sub-paragraph (b) insert—
 - “(c) confidential information received by the Authority in the course of discharging its functions as the competent authority under the Community Regulation.”;
- (e) in regulation 9—
 - (i) in paragraph (1) for “(3) and (3A)” substitute “(3), (3A) and (4)”;
 - (ii) after paragraph (3B) insert—

“(4) Paragraph (1) does not permit disclosure to the persons specified in the first column in Part 5 of Schedule 1 unless the disclosure is of confidential information received by the Authority in the course of discharging its functions as the competent authority under the Community Regulation.”;
- (f) in regulation 11 after sub-paragraph (d) insert—
 - “(e) confidential information received by the Authority in the course of discharging its functions as the competent authority under Regulation (EC) No. 924/2009 of the European Parliament and of the Council on cross-border payments in the Community and repealing Regulation (EC) No 2560/2001.”;
- (g) in the second column in Part 1 of Schedule 1, in the list of functions beside—

(1) S.I. 2001/1420; a relevant amending instrument is S.I. 2005/274.

(2) S.I. 2001/2188; relevant amending instruments are S.I. 2003/1473, 2005/3071 and 2006/3413.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (i) “An official receiver appointed under section 399 of the Insolvency Act 1986, or an official receiver for Northern Ireland appointed under article 355 of the Insolvency (Northern Ireland) Order 1989”, after paragraph (ii) insert—
 - “or
 - (iii) payment service providers or former payment service providers”;
- (ii) “The Department of Enterprise, Trade and Investment in Northern Ireland”, after paragraph (c)(ii) insert—
 - “or
 - (iii) payment service providers or former payment service providers”;
- (iii) “The Pensions Regulator”, after paragraph (ii) insert—
 - “or
 - (iii) payment service providers or former payment service providers”;
- (iv) “The Charity Commissioners for England and Wales”, after paragraph (ii) insert—
 - “or
 - (iii) payment service providers or former payment service providers”;
- (h) in Schedule 1, after Part 4 insert—

“PART 5

<i>Person</i>	<i>Functions</i>
The Commissioners for Her Majesty’s Revenue and Customs	Their functions under the Money Laundering Regulations 2007”