
STATUTORY INSTRUMENTS

2013 No. 3116

The Financial Services and Markets Act 2000 (Qualifying Provisions) (No. 2) Order 2013

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Financial Services and Markets Act 2000 [^{F1}(Qualifying Provisions)] (No. 2) Order 2013 and comes into force on 1st January 2014.

(2) For the purposes of this Order—

“the CRA Regulation” means Regulation 1060/2009/EC of the European Parliament and of the Council of 16 September 2009 on credit rating agencies ^{M1};

“the CRD4 instruments” means ^{M2}—

- (a) the capital requirements regulation; and
- (b) any directly applicable regulation made under the capital requirements regulation or the capital requirements directive;

“FSMA” means the Financial Services and Markets Act 2000.

[^{F2}[^{F3}(3) Any reference in this Order to an EU Regulation, or part of an EU Regulation, is to be read as a reference to that EU Regulation, or that part of that EU Regulation, as amended from time to time.]

(4) In paragraph (2) in the definition of “the CRD4 instruments”—

(a) the reference to any directly applicable regulation made under the capital requirements regulation is a reference to—

- (i) any EU regulation, originally made under the capital requirements regulation, which is retained direct EU legislation,
- (ii) any technical standards made in relation to the capital requirements regulation in accordance with Chapter 2A of Part 9A of the Act, and
- (iii) any subordinate legislation (within the meaning of the Interpretation Act 1978) which is made under a power substituted for a power of an EU entity to make a directly applicable regulation under the capital requirements regulation by regulations made under section 8 of the European Union (Withdrawal) Act 2018;

(b) the reference to any directly applicable regulation made under the capital requirements directive is a reference to—

- (i) any EU regulation, originally made under the capital requirements directive, which is retained direct EU legislation,
- (ii) any technical standards made in relation to the capital requirements directive in accordance with Chapter 2A of Part 9A of the Act, and
- (iii) any subordinate legislation (within the meaning of the Interpretation Act 1978) which is made under a power substituted for a power of an EU entity to make a directly applicable regulation under the capital requirements directive by regulations made under section 8 of the European Union (Withdrawal) Act 2018.]

Changes to legislation: The Financial Services and Markets Act 2000 (Qualifying Provisions) (No. 2) Order 2013, Section 1 is up to date with all changes known to be in force on or before 06 April 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) View outstanding changes

Textual Amendments

- F1** Words in [art. 1\(1\)](#) substituted (31.12.2020) by [The Financial Services and Markets Act 2000 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/632\)](#), regs. 1(3), **190(2)**; 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F2** [Art. 1\(3\)\(4\)](#) inserted (23.3.2019 for specified purposes, 31.12.2020 (on IP completion day) in so far as not in force) by [The Financial Services and Markets Act 2000 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/632\)](#), regs. 1(2)(i), **1(3)**, 190(3); S.I. 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F3** [Art. 1\(3\)](#) substituted (30.6.2020) by [The Financial Services \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/628\)](#), regs. 1(2), **3**

Marginal Citations

- M1** OJ no L302, 17/11/2009, p.1; the Regulation was amended by [Directive 2011/61/EU \(OJ no L 174 1.7.2011\)](#), [Regulation \(EU\) No 513/2011\(OJ no L 145 31.5.2011\)](#) and [Regulation \(EC\) No 462/2013 \(\(OJ no L 146, 31.5.2013, p. 1\)](#) and was corrected by [Corrigendum, OJ L 350, 29.12.2009 p. 59.](#)
- M2** Definitions of “capital requirements regulation” and “capital requirements directive” are inserted into section 417 of FSMA by the [Capital Requirements Regulations 2013](#).

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Order revoked by [2023 c. 29 Sch. 1 Pt. 2](#)