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## STATUTORY INSTRUMENTS

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# 2017 No. 699

## The Data Reporting Services Regulations 2017

### PART 4

#### Administration and enforcement

#### CHAPTER 3

#### Application of secondary legislation for the purposes of the Regulations

##### Service of notices

**41.** The Financial Services and Markets Act 2000 (Service of Notices) Regulations 2001 <sup>F1</sup> (“Notice Regulations”) apply in respect to any notice or document to be given by the FCA under these Regulations or under the Act as applied by these Regulations, as if—

- (a) that notice or document were “a relevant document” under the Notice Regulations;
- (b) each reference to the Act included a reference to these Regulations and to the Act as applied by these Regulations;
- (c) each reference to a section of the Act were a reference to that section as applied by these Regulations.

**F1** [S.I. 2001/1420.](#)

##### Disclosure of confidential information

**42.** The Financial Services and Markets Act 2000 (Disclosure of Confidential Information) Regulations 2001 <sup>F2</sup> apply for the purposes of section 349 of the Act (exceptions from section 348) as applied by regulation 35.

**F2** [S.I. 2001/2188.](#)

##### Communications by auditors

**43.** The Financial Services and Markets Act 2000 (Communications by Auditors) Regulations 2001 <sup>F3</sup> apply with respect to the auditor of a data reporting service provider, as if—

- (a) each reference to an authorised person were a reference to a data reporting service provider;
- (b) in regulation 1(2) (citation, commencement and interpretation) “relevant requirement” meant a requirement which is imposed by or under these Regulations;
- (c) in regulation 2(2)(a)(ii) (circumstances in which an auditor is to communicate) the reference to functions were a reference to the FCA's functions under these Regulations and under the Act as applied by these Regulations;

**Changes to legislation:** The Data Reporting Services Regulations 2017, CHAPTER 3 is up to date with all changes known to be in force on or before 03 October 2023. 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

- (d) in regulation 2(2)(b) the reference to threshold conditions were a reference to the conditions in regulation 9 of these Regulations.

**F3** [S.I. 2001/2587.](#)

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[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Regulations power to amend conferred by [2021 c. 22 s. 23](#)
- Regulations revoked by [2023 c. 29 Sch. 1 Pt. 2](#)