
STATUTORY INSTRUMENTS

2017 No. 701

^{F1}FINANCIAL SERVICES AND MARKETS

**The Financial Services and Markets Act 2000
(Markets in Financial Instruments) Regulations 2017**

Made - - - - 21st June 2017

Laid before Parliament 22nd June 2017

Coming into force in accordance with regulation 1

**THE FINANCIAL SERVICES AND MARKETS ACT 2000
(MARKETS IN FINANCIAL INSTRUMENTS) REGULATIONS 2017**

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Changes to legislation: The Financial Services and Markets Act 2000 (Markets in Financial Instruments) Regulations 2017 is up to date with all changes known to be in force on or before 04 February 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

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SCHEDULE 2 — Amendments to the Financial Services and Markets Act 2000

1. The Act is amended as follows.
2. Amendments to Part 3 (authorisation and exemption)
3. (1) Section 39A (certain tied agents operating outside the United...)
4. Amendments to Part 4A (permission to carry on regulated activities)
5. (1) Section 55R (persons connected with an applicant) is amended...
6. Amendments to Part 6 (official listing)
7. (1) Section 102A (meaning of “securities” etc) is amended as...
8. In section 103(1) (interpretation of Part 6) in the definition...
9. Amendments to Part 8 (provisions relating to market abuse)
10. (1) Section 122I (power to suspend trading in financial instruments)...
11. After section 122I insert— Power to suspend auctioning of auctioned...
12. In section 123(1)(c)(i) (power to impose penalties or issue censure)...
13. (1) Section 123A (power to prohibit individuals from managing or...
14. In section 123B(1)(c) (suspending permission to carry on regulated activities...

15. In section 124(10) (statement of policy) in paragraph (c)(i) of...
16. (1) Section 129 (power of the court to impose administrative...
17. In section 131AB (interpretation)— (a) in the definition of “financial...
18. Amendments to Part 9A (rules and guidance)
19. Amendments to Part 12 (control over authorised persons)
20. Amendments to Part 13 (incoming firms: intervention by FCA or PRA)
21. (1) Section 195A (contravention by relevant EEA firm etc of...
22. Amendments to Part 14 (disciplinary measures)
23. Amendments to Part 15 (the financial services compensation scheme)
24. In section 214(1) (general)— (a) in paragraph (a)—
25. (1) Section 215 (rights of the scheme in insolvency) is...
26. (1) Section 218A (regulators power to require information) is amended...
27. (1) Section 220 (scheme manager's power to inspect information held...
28. (1) Section 224 (scheme manager's power to inspect documents held...
29. Amendments to Part 18 (recognised investment exchanges and clearing houses)
30. After section 287 (application by an investment exchange) insert—
Application...
31. In section 290(1A) (recognition orders)— (a) for “Community” substitute “...“
32. In section 292(3) (overseas investment exchanges and overseas clearing houses),...
33. In section 301E(4)(a) (disregarded holdings) for “4.1(8)” substitute “4.1.7...”
34. (1) Section 312A (exercise of passport rights by EEA market...
35. (1) Section 312B (removal of passport rights from EEA market...
36. (1) Section 312C (exercise of passport rights by recognised investment...
37. In section 312D (interpretation of Chapter 3A of Part 18)—...
38. In section 313(1) (interpretation of Part 18)—
39. Amendments to Part 18A (suspension and removal of financial instruments from trading)
40. Omit section 313C (notification in relation to suspension or removal...
41. After section 313C insert— Suspension or removal of financial instruments...
42. (1) Section 313D (interpretation of Part 18A) is amended as...
43. Amendments to Part 20 (provision of financial services by members of the professions)
44. Amendments to Part 23 (public record, disclosure of information and co-operation)
45. Amendments to Part 26 (notices)
46. After section 391C (publication: special provisions relating to the UCITs...
47. After section 395(13)(bbza) (the FCA's and PRA's procedures) insert—
48. Amendments to Part 27 (offences)
49. Amendments to Part 28 (miscellaneous)
50. Omit sections 412A (approval and monitoring of trade-matching and reporting...
51. Amendments to Part 29 (interpretation)
52. In section 422A(4)(a) (disregarded holdings) for “4.1(8)” substitute “4.1.7...”
53. In section 424A(5)(b) (investment firm) for “4.1.20” substitute “ 4.1.55...”
54. Amendments to Schedule 3 (EEA passport rights)
55. Amendments to Schedule 10A (liability of issuers)

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SCHEDULE 3 — Amendments to secondary legislation made under the Financial Services and Markets Act 2000

1. The Financial Services and Markets Act 2000 (Recognition Requirements for Investment Exchanges and Clearing Houses) Regulations 2001
2. Financial Services and Markets Act 2000 (Regulated Activities) Order 2001
3. Financial Services and Markets Act 2000 (Appointed Representatives) Regulations 2001
4. Financial Services and Markets Act 2000 (Disclosure of Confidential Information) Regulations 2001
5. Financial Services and Markets Act 2000 (EEA Passport Rights) Regulations 2001
6. Financial Services and Markets Act 2000 (Qualifying EU Provisions) Order 2013
7. Financial Services and Markets Act 2000 (Over the Counter Derivatives, Central Counterparties and Trade Repositories) Regulations 2013
8. Financial Services and Markets Act 2000 (PRA-Regulated Activities) Order 2013
9. Financial Services and Markets Act 2000 (Ring-Fenced Bodies and Core Activities) Order 2014

SCHEDULE 4 — Amendments to other primary legislation

1. Building Societies Act 1986
2. Finance Act 1991
3. Friendly Societies Act 1992
4. Data Protection Act 1998
5. Competition Act 1998
6. Terrorism Act 2000
7. Proceeds of Crime Act 2002
8. Income Tax (Trading and Other Income) Act 2005
9. Companies Act 2006
10. Income Tax Act 2007
11. Counter-Terrorism Act 2008
12. Corporation Tax Act 2010
13. Finance Act 2010
14. Finance Act 2011
15. Financial Services (Banking Reform) Act 2013

SCHEDULE 5 — Amendments to other secondary legislation

1. Income Tax (Manufactured Overseas Dividends) Regulations 1993
2. Financial Markets and Insolvency (Settlement Finality) Regulations 1999
3. Uncertificated Securities Regulations 2001
4. Insurers (Reorganisation and Winding Up) Regulations 2004
5. Credit Institutions (Reorganisation and Winding Up) Regulations 2004
6. Occupational Pension Schemes (Investment) Regulations 2005
7. Authorised Investment Funds (Tax) Regulations 2006
8. Financial Services and Markets Act 2000 (Markets in Financial Instruments) Regulations 2007
9. Payment Services Regulations 2009
10. Banking Act 2009 (Restriction of Partial Property Transfers) Order 2009
11. Offshore Funds (Tax) Regulations 2009
12. Occupational and Personal Pension Schemes (Automatic Enrolment) Regulations 2010
13. Electronic Money Regulations 2011

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14. Recognised Auction Platforms Regulations 2011
15. Investment Trust (Approved Company) (Tax) Regulations 2011
16. Supervision of Accounts and Reports (Prescribed Body) and Companies (Defective Accounts and Directors' Reports) (Authorised Person) Order 2012
17. Unauthorised Unit Trusts (Tax) Regulations 2013
18. Capital Requirements Regulations 2013
19. Stamp Duty and Stamp Duty Reserve Tax (Exchange Traded Funds) (Exemption) Regulations 2014
20. Financial Services Act 2012 (Relevant Functions in Relation to Complaints Scheme) Order 2014
21. Public Interest Disclosure (Prescribed Persons) Order 2014
22. Reports on Payments to Governments Regulations 2014
23. Public Contracts Regulations 2015

Explanatory Note

Changes to legislation:

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Changes and effects yet to be applied to :

- reg. 1(3)(b)(i) words inserted by [S.I. 2018/1403 reg. 6\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 6(b) substituted immediately before IP completion day by [S.I. 2019/710](#), regs. 1(2), 16(3))
- reg. 3(4)(d) word inserted by [S.I. 2018/1403 reg. 7\(3\)\(c\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Reg. 7(3)(c) omitted immediately before IP completion day by virtue of [S.I. 2020/628](#), regs. 1(2), 7(2))
- reg. 3(4)(e) omitted by [S.I. 2018/1403 reg. 7\(3\)\(c\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Reg. 7(3)(c) omitted immediately before IP completion day by virtue of [S.I. 2020/628](#), regs. 1(2), 7(2))
- reg. 16 heading word substituted by [2023 c. 29 Sch. 2 para. 46\(2\)](#)
- reg. 16(1) word substituted by [2023 c. 29 Sch. 2 para. 46\(3\)\(a\)](#)
- reg. 16(1) words substituted by [2023 c. 29 Sch. 2 para. 46\(3\)\(b\)](#)
- reg. 16(2) omitted by [2023 c. 29 Sch. 2 para. 46\(5\)](#)
- reg. 16(3) omitted by [2023 c. 29 Sch. 2 para. 46\(5\)](#)
- reg. 16(5) omitted by [2023 c. 29 Sch. 2 para. 46\(5\)](#)
- reg. 17 revoked by [2023 c. 29 Sch. 2 para. 50\(b\)\(i\)](#)
- reg. 18 revoked by [2023 c. 29 Sch. 2 para. 50\(b\)\(ii\)](#)
- reg. 19 revoked by [2023 c. 29 Sch. 2 para. 50\(b\)\(iii\)](#)
- reg. 25 revoked by [2023 c. 29 Sch. 2 para. 50\(b\)\(iv\)](#)
- reg. 27(1)(a)(b) words omitted by [2023 c. 29 Sch. 2 para. 47\(2\)](#)
- reg. 27(2) words omitted by [2023 c. 29 Sch. 2 para. 47\(3\)](#)
- reg. 27(3) substituted by [2023 c. 29 Sch. 2 para. 47\(4\)](#)
- reg. 28(1) words substituted by [2023 c. 29 Sch. 2 para. 48\(2\)](#)
- reg. 28(2) words inserted by [2023 c. 29 Sch. 2 para. 48\(3\)](#)
- reg. 28(3) words omitted by [2023 c. 29 Sch. 2 para. 48\(4\)](#)
- reg. 29(1) revoked by [2023 c. 29 Sch. 2 para. 50\(b\)\(v\)](#)
- reg. 29(2) words inserted by [2023 c. 29 Sch. 2 para. 49\(a\)](#)
- reg. 29(2) words inserted by [2023 c. 29 Sch. 2 para. 49\(b\)](#)
- reg. 30(1B)(c) words substituted by [S.I. 2023/548 art. 3\(2\)\(a\)](#)
- reg. 30(1B)(c) words substituted by [S.I. 2023/548 art. 3\(2\)\(b\)](#)
- reg. 47 heading substituted by [S.I. 2023/548 art. 3\(3\)\(a\)](#)
- reg. 47(1)(a) omitted by [S.I. 2023/548 art. 3\(3\)\(b\)](#)
- reg. 47(1)(b) words omitted by [S.I. 2023/548 art. 3\(3\)\(c\)\(i\)](#)
- reg. 47(1)(b) words omitted by [S.I. 2023/548 art. 3\(3\)\(c\)\(ii\)](#)

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

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 15A inserted by [2023 c. 29 Sch. 2 para. 45](#)
- reg. 16(1A)(1B) omitted by [2023 c. 29 Sch. 2 para. 46\(4\)](#)