
STATUTORY INSTRUMENTS

2019 No. 1234

The Prospectus (Amendment etc.) (EU Exit) Regulations 2019

PART 4

Amendments of other secondary legislation

Amendments of the Financial Services and Markets Act 2000 (Financial Promotion) Order 2005

26. Article 70 (promotions included in listing particulars etc) of the Financial Services and Markets Act 2000 (Financial Promotion) Order 2005⁽¹⁾ is amended as follows—

- (a) in paragraph (1)(c), omit paragraph (ii) and the preceding “or”;
- (b) in paragraph (1A)(b), omit “25(4),”.

Amendments of the Equivalence Determinations for Financial Services and Miscellaneous Provisions (Amendment etc) (EU Exit) Regulations 2019

27.—(1) The Equivalence Determinations for Financial Services and Miscellaneous Provisions (Amendment etc) (EU Exit) Regulations 2019⁽²⁾ are amended as follows.

(2) In Schedule 1 (equivalence determinations), in paragraph 9—

- (a) in the heading, for “Prospectus Directive” substitute “Prospectus Regulation”;
- (b) in sub-paragraph (1), for the words from “the law of the United Kingdom” to the end substitute “Regulation (EU) No 2017/1129 of the European Parliament and of the Council of 14 June 2017 on the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market, and repealing [Directive 2003/71/EC](#) (“the Prospectus Regulation”)”;
- (c) for sub-paragraph (3)(b), substitute—
 - “(b) Commission Delegated Regulation (EU) 2019/980 of 14 March 2019 supplementing Regulation (EU) 2017/1129 of the European Parliament and of the Council as regards the format, content, scrutiny and approval of the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market, and repealing [Commission Regulation \(EC\) No 809/2004](#),”;
- (d) omit sub-paragraphs (5) and (6);
- (e) after sub-paragraph (7) insert—

“(8) For the purpose of Article 29(3) of the Prospectus Regulation, to determine that the information requirements imposed by the national law of a third country are equivalent to the requirements under the Prospectus Regulation.”.

(1) [S.I. 2005/1529](#); relevant amending instruments are [S.I. 2007/2615](#) and [2019/1043](#).

(2) [S.I. 2019/541](#).

Amendment of the Financial Services and Markets Act 2000 (Amendment) (EU Exit) Regulations 2019

28. Omit regulation 175 (Article 70 – promotions included in listing particulars etc) of the Financial Services and Markets Act 2000 (Amendment) (EU Exit) Regulations 2019⁽³⁾.

Amendments of the Gibraltar (Miscellaneous Amendments) (EU Exit) Regulations 2019

29.—(1) The Gibraltar (Miscellaneous Amendments) (EU Exit) Regulations 2019⁽⁴⁾ are amended as follows.

(2) In regulation 11 (saving for certain financial services legislation relating to Gibraltar), in paragraph (5), after sub-paragraph (z) insert—

“(z1) the Official Listing of Securities, Prospectus and Transparency (Amendment etc.) (EU Exit) Regulations 2019;

(z2) the Prospectus (Amendment etc.) (EU Exit) Regulations 2019.”.

Amendment of the Financial Services and Markets Act 2000 (Prospectus) Regulations 2019

30. In regulation 6 (prohibition of dealing etc in transferable securities without approved prospectus) of the Financial Services and Markets Act 2000 (Prospectus) Regulations 2019⁽⁵⁾, omit paragraph (5).

(3) S.I. 2019/632.
(4) S.I. 2019/680.
(5) S.I. 2019/1043.