

STATUTORY INSTRUMENTS

2019 No. 632

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

PART 2

Amendments to the Act

CHAPTER 23

Schedule 17A to the Act: further provisions in relation
to exercise of Part 18 functions by Bank of England

Introduction

115. Schedule 17A to the Act (further provision in relation to the exercise of Part 18 functions by Bank of England) ^{M1} is amended as follows.

Commencement Information

11 Reg. 115 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(3\)](#)

Marginal Citations

M1 Schedule 17A was inserted by paragraph 1 of Schedule 7 to the Financial Services Act 2012.

Paragraph 11 (information gathering and investigations)

116. In paragraph 11 ^{M2} (information gathering and investigations)—

(a) in sub-paragraph (1)—

(i) for paragraph (ab) substitute—

“(ab) a third country CSD, in relation to any services referred to in the Annex to the CSD regulation which the third country CSD provides in the United Kingdom;”;

(ii) in paragraph (b), for “, a recognised CSD or an EEA CSD” substitute “ or a recognised CSD”;

(b) in sub-paragraph (2), for paragraph (d) substitute—

“(d) information or documents reasonably required in connection with the exercise by the Bank of its functions—

(i) under—

(aa) the EMIR regulation,

(bb) the CSD regulation,

Changes to legislation: The Financial Services and Markets Act 2000 (Amendment) (EU Exit) Regulations 2019, CHAPTER 23 is up to date with all changes known to be in force on or before 16 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

- (cc) any EU regulation originally made under the CSD Regulation which is retained direct EU legislation, or
- (dd) any subordinate legislation made under the CSD Regulation on or after [^{F1}IP completion day];
- (ii) in connection with Article 4 or 15 of the SFT regulation; or
- (iii) under any subordinate legislation made under the SFT regulation on or after [^{F1}IP completion day].”.

Textual Amendments

F1 Words in reg. 116(b) substituted (30.12.2020) by [The Financial Services and Economic and Monetary Policy \(Consequential Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1301\)](#), regs. 1, 3, [Sch. para. 33\(j\)](#)

Commencement Information

I2 Reg. 116 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(3)

Marginal Citations

M2 Sub-paragraph (1)(ab) was inserted by [S.I. 2017/1064](#); sub-paragraph (2)(d) was inserted by [S.I. 2013/504](#) and amended by [S.I. 2014/2879](#) and [2016/715](#).

Paragraphs 22 and 23 (public record and disclosure of information)

117.—(1) In paragraph 22 ^{M3} (public record and disclosure of information), before “or a recognised CSD”, insert “, a third country CSD”.

(2) In paragraph 23 ^{M4} (public record and disclosure of information), in sub-paragraph (1), for the words from “or any directly applicable regulation” to the end substitute “, any EU regulation originally made under the CSD regulation which is retained direct EU legislation, or any subordinate legislation made under the CSD regulation on or after [^{F2}IP completion day]”.

Textual Amendments

F2 Words in reg. 117(2) substituted (30.12.2020) by [The Financial Services and Economic and Monetary Policy \(Consequential Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1301\)](#), regs. 1, 3, [Sch. para. 33\(k\)](#)

Commencement Information

I3 Reg. 117 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(3)

Marginal Citations

M3 Paragraph 22 was amended by [S.I. 2017/1064](#).

M4 Sub-paragraph (1) was renumbered by paragraph 51(4) of Schedule 2(2) to the [Bank of England and Financial Services Act 2016 \(c. 14\)](#) and amended by [S.I. 2017/1064](#).

Paragraph 30 (offences)

118. In paragraph 30 ^{M5} (offences)—

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- (a) in sub-paragraph (a), for “, a recognised CSD or an EEA CSD” substitute “ or a recognised CSD ”;
- (b) in sub-paragraph (c), for “qualifying EU provision” substitute “ qualifying provision ”.

Commencement Information

I4 Reg. 118 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(3\)](#)

Marginal Citations

M5 Sub-paragraph (a) was amended by [S.I. 2017/1064](#).

Paragraph 36 (fees)

119. In paragraph 36 ^{M6}—

- (a) in sub-paragraph (1), omit “, EEA CSDs”;
- (b) in sub-paragraph (2)(b), for “qualifying EU provision”, substitute “ qualifying provision ”.

Commencement Information

I5 Reg. 119 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(3\)](#)

Marginal Citations

M6 Sub-paragraph (1) was amended by [S.I. 2013/504](#), [2017/1064](#) and [2018/1184](#). Sub-paragraph (2)(b) was amended by [S.I. 2018/1115](#).

Changes to legislation:

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Changes and effects yet to be applied to :

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