
STATUTORY INSTRUMENTS

2019 No. 681

The Public Record, Disclosure of Information and Co-operation (Financial Services) (Amendment) (EU Exit) Regulations 2019

PART 3

Amendments other than in connection with Exiting the European Union

The Financial Services and Markets Act 2000 (Disclosure of Confidential Information) Regulations 2001

13.—(1) The Financial Services and Markets Act 2000 (Disclosure of Information) Regulations 2001 ^{F1} are amended as follows.

(2) In regulation 2—

(a) in the definition of “overseas regulatory authority”—

(i) at the end of sub-paragraph (a) omit “or”;

(ii) at the end of sub-paragraph (b) insert—

“or

(c) an authority in a country or territory outside the United Kingdom which exercises any functions of a kind corresponding to a function of the Bank of England;”;

(b) in the definition of “single market restrictions”, in sub-paragraph (f) for “104a.1” substitute “ 104.1 ”;

(c) omit the definition of “the third non-life insurance directive”.

(3) In regulation 5(3)(c) for the “the Department of Enterprise, Trade and Investment in Northern Ireland” substitute “ the Department for the Economy in Northern Ireland ”.

(4) In regulation 9—

(a) omit paragraph (2A);

(b) in paragraph (3)(b), for paragraphs (iii), (iv) and (v) substitute—

“(vi) Article 33 of the Solvency 2 directive,”;

(c) in paragraph (3A)(a), for “article 63” substitute “ Article 88 ”.

(5) In the heading to regulation 12A insert “ The Gambling Commission ”.

(6) In the heading to regulation 12C insert “ Proceedings under the Proceeds of Crime Act 2002 ^{F2} ”.

(7) In Schedule 1—

(a) in the table in Part 1—

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- (i) in the entry commencing “A person appointed in judicial or administrative proceedings”, in the corresponding entry in the second column, for “That person's functions as such” substitute—
 - “That person's functions in so far as they relate to:
 - (i) former authorised persons or persons who have carried on former regulated activities;
 - (ii) persons carrying on, or who have carried on, regulated activities; or
 - (iii) banking group companies (as defined in section 81D ^{F3} of the Banking Act 2009)”;
 - (ii) for the entry “The Department of Enterprise, Trade and Investment in Northern Ireland” substitute “The Department for the Economy in Northern Ireland”;
- (b) in the table in Part 2, after the entry commencing “An authority responsible for” insert—

“A reorganisation body or authority in an EEA Its functions as such”;
State whose aim is to protect the stability of the financial system

- (c) in the table in Part 3 after “A foreign resolution authority” insert—

“An authority responsible for maintaining the Its functions as such
stability of the financial system in a third
country or territory through macro-prudential
regulation

A reorganisation body or authority in a third Its functions as such”;
country or territory whose aim is to protect the
stability of the financial system

- (d) in the table in Part 4, for “The Department of Enterprise, Trade and Investment in Northern Ireland” substitute “The Department for the Economy in Northern Ireland”.

F1 [S.I. 2001/2188](#).

F2 [2002 c.29](#).

F3 Section 81D of the Banking Act 2009 was inserted by section 100 of the [Financial Services Act 2012 \(c.21\)](#) and was amended by paragraph 7 of Schedule 2 to the [Financial Services \(Banking Reform\) Act 2013 \(c.33\)](#) and [S.I. 2014/3160](#) and 2014/3329.

Commencement Information

I1 Reg. 13 in force at 27.3.2019, see reg. 1(2)

The Electronic Money Regulations 2011

14.—(1) The Electronic Money Regulations 2011 ^{F4} are amended as follows ^{F5}.

(2) In Schedule 3, in paragraph 11—

- (a) in paragraph (a)(i), for “article 9 of the insurance mediation directive”, in both places that it occurs, substitute “Article 13 of the insurance distribution directive”;
- (b) in paragraph (c), in the inserted text, for “(c)” substitute “(g)”.

F4 [S.I. 2011/99](#).

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F5 These amendments to the Electronic Money Regulations 2011 are made under section 2(2) of the [European Communities Act 1972 \(c.68\)](#).

Commencement Information

I2 Reg. 14 in force at 27.3.2019, see reg. 1(2)

The Financial Services (Banking Reform) Act 2013 (Disclosure of Confidential Information) Regulations 2014

15.—(1) The Financial Services (Banking Reform) Act 2013 (Disclosure of Confidential Information) Regulations 2014 are amended as follows ^{F6}.

(2) In the table in the Schedule, for “The Department of Enterprise, Trade and Investment in Northern Ireland” substitute “ The Department of the Economy in Northern Ireland ”.

F6 The amendments to the Financial Services Banking Reform Act 2013 (Disclosure of Confidential Information) Regulations 2014 are made under section 92 of the [Financial Services \(Banking Reform\) Act 2013 \(c.33\)](#).

Commencement Information

I3 Reg. 15 in force at 27.3.2019, see reg. 1(2)

Changes to legislation:

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Changes and effects yet to be applied to :

- Regulations power to modify conferred by [2023 c. 29 s. 3Sch. 1 Pt. 2](#)
- Regulations revoked by [2023 c. 29 Sch. 1 Pt. 2](#)