

2021 No. 1388

FINANCIAL SERVICES

**The Financial Services and Markets Act 2000 (Consequential
Amendments of References to Rules) Regulations 2021**

<i>Made</i>	- - - -	<i>8th December 2021</i>
<i>Laid before Parliament</i>		<i>10th December 2021</i>
<i>Coming into force</i>	- -	<i>1st January 2022</i>

The Treasury, in exercise of the powers conferred by section 141A(2) of the Financial Services and Markets Act 2000(a), make the following Regulations.

Citation and commencement

1.—(1) These Regulations may be cited as the Financial Services and Markets Act 2000 (Consequential Amendments of References to Rules) Regulations 2021.

(2) These Regulations come into force on 1st January 2022.

Financial Services and Markets Act 2000

2.—(1) The Financial Services and Markets Act 2000 is amended as follows.

(2) In section 143B(1)(b) (definitions), in the definition of “Directive 2013/36/EU UK law” in paragraph (a), for “IP completion day” substitute “1 January 2022”.

(3) In section 144H(3)(c) (relationship with the capital requirements regulation), in the definition of “Directive 2013/36/EU UK law” in paragraph (a), for “IP completion day” substitute “1 January 2022”.

(4) In section 192O(1)(d) (interpretation of Part 12B – approval of certain holding companies), in the definition of “Directive 2013/36/EU UK law” in paragraph (b)(i), for “IP completion day” substitute “1 January 2022”.

Undertakings for Collective Investment in Transferable Securities Regulations 2011

3. In regulation 7(3) (interpretation) of the Undertakings for Collective Investment in Transferable Securities Regulations 2011(e), for “IP completion day” substitute “1 January 2022”.

(a) 2000 c. 8; Part 9A (sections 137A-141A) was substituted for Part 9A (sections 138-164) by section 24(1) of the Financial Services Act 2012 (c. 21).
(b) Section 143B was inserted by paragraph 1 of Schedule 2 to the Financial Services Act 2021 (c. 22).
(c) Section 144H was inserted by paragraph 1 of Schedule 3 to the Financial Services Act 2021.
(d) Section 192O was inserted by S.I. 2020/1406.
(e) S.I. 2011/1613; regulation 7(3) was inserted by S.I. 2019/325.

Alternative Investment Fund Managers Regulations 2013

4. In regulation 2(5) (interpretation) of the Alternative Investment Fund Managers Regulations 2013(a), for “IP completion day” substitute “1 January 2022”.

Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012

5. In article 4A(1) (definitions: regulators’ rules) of Regulation (EU) No 575/2013(b), in point (c)(i), for “IP completion day” substitute “1 January 2022”.

Commission Delegated Regulation (EU) 2016/438 of 17 December 2015 supplementing Directive 2009/65/EC of the European Parliament and of the Council with regard to obligations of depositories

6. In article 1(c) (definitions) of Commission Delegated Regulation (EU) 2016/438(c), for “IP completion day” substitute “1 January 2022”.

Commission Delegated Regulation (EU) No 231/2013 of 19 December 2012 supplementing Directive 2011/61/EU of the European Parliament and of the Council with regard to exemptions, general operating conditions, depositories, leverage, transparency and supervision

7. In article 1(11) (definitions) of Commission Delegated Regulation (EU) No 231/2013(d), for “IP completion day” substitute “1 January 2022”.

*Alan Mak
Craig Whittaker*

8th December 2021

Two of the Lords Commissioners of Her Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

This instrument is made under section 141A(2) of the Financial Services and Markets Act 2000 (c. 8). This instrument makes amendments to update references in legislation to rules made by the Prudential Regulation Authority (“PRA”) and the Financial Conduct Authority (“FCA”). These amendments relate to changes to the prudential regulation of credit institutions and investment firms in the Financial Services Act 2021 (c. 22).

Regulation 2 refers to and amends references to the rulebook made by the PRA and the handbook made by the FCA under the Financial Services and Markets Act 2000.

Regulations 3 and 4 refer to and amend references to the handbook made by the FCA under the Financial Services and Markets Act 2000.

Regulation 5 refers to and amends references to the rulebook made by the PRA and the handbook made by the FCA under the Financial Services and Markets Act 2000.

Regulations 6 and 7 refer to and amend references to the handbook made by the FCA under the Financial Services and Markets Act 2000.

(a) S.I. 2013/1773 as amended by S.I. 2019/328; there are other amending instruments but none are relevant.

(b) EUR 2013/575; article 4A was inserted by S.I. 2018/1401 and amended by S.I. 2019/1232, S.I. 2020/1301 and is prospectively amended by paragraph 3 of Schedule 1 to the Financial Services Act 2021.

(c) EUR 2016/438; article 1(c) was inserted by S.I. 2019/328.

(d) EUR 231/2013; article 1(11) was inserted by S.I. 2019/328.

The rulebook made by the PRA is available on www.prarulebook.co.uk and copies of the rules referred to can be obtained from the Prudential Regulation Authority, 20 Moorgate, London EC2R 6DA, where they are also available for inspection.

The handbook made by the FCA is available on www.handbook.fca.org.uk and copies of the rules referred to can be obtained from the Financial Conduct Authority, 12 Endeavour Square, London E20 1JN, where they are also available for inspection.

A full impact assessment has not been produced for this instrument, as no, or no significant, impact on the private, voluntary or public sector is foreseen. The measures in this instrument are accounted for in a de minimis assessment of the impact of consequential amendments to legislation further to the Financial Services Act 2021. A copy of the assessment is published on legislation.gov.uk with this instrument. An Explanatory Memorandum has been prepared for this instrument and is published on www.legislation.gov.uk.

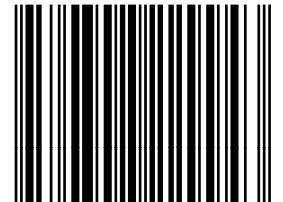
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