

SCHEDULES

SCHEDULE 18

FURTHER MINOR AND CONSEQUENTIAL AMENDMENTS

PART 2

AMENDMENTS OF OTHER ACTS OF PARLIAMENT

Bankers' Books Evidence Act 1879 (c. 11)

- 27 In section 9 of the Bankers' Books Evidence Act 1879 (interpretation), in subsection (1A)(a), for “Part 4” substitute “Part 4A”.

Agricultural Credits Act 1928 (c. 43)

- 28 In section 5 of the Agricultural Credits Act 1928 (agricultural charges on farming stock and assets), in subsection (7), in the definition of “Bank”, for “Part 4” substitute “Part 4A”.

Agricultural Credits (Scotland) Act 1929 (19 & 20 Geo. 5 c. 13)

- 29 In section 9 of the Agricultural Credits (Scotland) Act 1929 (interpretation), in subsection (2), in the definition of “Bank”, for “Part 4” substitute “Part 4A”.

Fire Services Act 1947 (c. 41)

- 30 In section 27A of the Fire Services Act 1947 (information in connection with firemen's pensions etc.) (as that section continues to have effect by virtue of the Firefighters' Pension Scheme (England and Scotland) Order 2004 and the Fire and Rescue Services Act 2004 (Firefighters' Pension Scheme) (Wales) Order 2004), in subsection (2)(a), for “section 150” substitute “section 138D”.

Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (c. 65)

- 31 In section 57 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (life policies: supplementary provisions), in subsection (5A), for “section 150” substitute “section 138D”.

Theft Act 1968 (c. 60)

- 32 In section 24A of the Theft Act 1968 (dishonestly retaining a wrongful credit), in subsection (9), for paragraph (c) substitute—
“(c) a person falling within any of paragraphs (a) to (j) of the definition of “electronic money issuer” in regulation 2(1) of the Electronic Money Regulations 2011.”

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Decimal Currency Act 1969 (c. 19)

- 33 In section 7 of the Decimal Currency Act 1969 (payments under friendly society and industrial assurance contracts: supplemental), in subsection (5), for “section 138” substitute “sections 137A and 137G”.

Employers' Liability (Compulsory Insurance) Act 1969 (c. 57)

- 34 In section 1 of the Employers' Liability (Compulsory Insurance) Act 1969 (insurance against liability for employees), in subsection (3)(b)(i), for “Part 4” substitute “Part 4A”.

Superannuation Act 1972 (c. 11)

- 35 In section 1 of the Superannuation Act 1972 (superannuation schemes: civil servants), in subsection (9), in the definition of “authorised provider”, for “Part 4” substitute “Part 4A”.

Employment Agencies Act 1973 (c. 35)

- 36 In section 9 of the Employment Agencies Act 1973 (inspection), in subsection (1AC), for “Part 4” substitute “Part 4A”.

Consumer Credit Act 1974 (c. 39)

- 37 (1) The Consumer Credit Act 1974 is amended as follows.
- (2) In section 16 (exempt agreements)—
- (a) in subsection (3A), in the Table—
 - (i) for “Financial Services Authority”, in the first place, substitute “Financial Conduct Authority”, and
 - (ii) for “and the Financial Services Authority”, substitute “, the Financial Conduct Authority and the Prudential Regulation Authority”, and
 - (b) in subsection (10), in paragraphs (a)(i) and (b)(i), for “Part 4” substitute “Part 4A”.
- (3) In section 25 (licensee to be a fit person), in subsection (1B)—
- (a) for “Part 4” substitute “Part 4A”, and
 - (b) for “the Financial Services Authority” substitute “the regulator which granted the permission under Part 4A”.
- (4) In section 35 (the register), in subsection (1A), for “Financial Services Authority” substitute “Financial Conduct Authority or the Prudential Regulation Authority”.

Solicitors Act 1974 (c. 47)

- 38 In section 87 of the Solicitors Act 1974 (interpretation), in the definition of “bank” in subsection (1) and in subsection (1A)(a), for “Part 4” substitute “Part 4A”.

House of Commons Disqualification Act 1975 (c. 24)

- 39 In Part 3 of Schedule 1 to the House of Commons Disqualification Act 1975 (other disqualifying offices)—
- (a) omit the entry “Member of the governing body of the Financial Services Authority”, and
 - (b) at the appropriate place in each case insert—
 - “Member of the governing body of the Financial Conduct Authority;”;
 - “Member of the governing body of the Prudential Regulation Authority;”.

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- 40 In Part 3 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (other disqualifying offices)—
- (a) omit the entry “Member of the governing body of the Financial Services Authority”, and
 - (b) at the appropriate place in each case insert—
 - “Member of the governing body of the Financial Conduct Authority;”;
 - “Member of the governing body of the Prudential Regulation Authority;”.

Police Pensions Act 1976 (c. 35)

- 41 In section 8A of the Police Pensions Act 1976 (information in connection with police pensions etc.), in subsection (2)(a), for “section 150” substitute “section 138D”.

Judicial Pensions Act 1981 (c. 20)

- 42 In section 33A of the Judicial Pensions Act 1981 (voluntary contributions), in subsection (9), in paragraph (a) of the definition of “authorised provider”, for “Part 4” substitute “Part 4A”.

Lloyd's Act 1982 (c. xiv)

- 43 In section 7 of the Lloyd's Act 1982 (the Disciplinary Committee and the Appeal Tribunal), in subsection (1A)(c), for “Financial Services Authority” substitute “Prudential Regulation Authority or the Financial Conduct Authority”.

Inheritance Tax Act 1984 (c. 51)

- 44 In section 59 of the Inheritance Tax Act 1984 (qualifying interest in possession), in subsection (3)(b)(i), for “Part 4” substitute “Part 4A”.

Companies Act 1985 (c. 6)

- 45 The Companies Act 1985 is amended as follows.
- 46 In Schedule 15C (specified persons), for paragraph 7 substitute—
- “7 The Financial Conduct Authority.

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7A The Prudential Regulation Authority.

7B The Bank of England.”

- 47 (1) Schedule 15D (disclosures) is amended as follows.
- (2) In paragraph 28 for “Financial Services Authority” substitute “Financial Conduct Authority or the Prudential Regulation Authority”.
- (3) In paragraph 29 for the words from “competent authority” to the end substitute ““Financial Conduct Authority to exercise its functions under Part 6 of the Financial Services and Markets Act 2000.”
- (4) In paragraph 43, for paragraph (a) substitute—
- “(a) a decision of the Financial Conduct Authority;
 - (aa) a decision of the Prudential Regulation Authority;”.

Trustee Savings Banks Act 1985 (c. 58)

- 48 In Part 3 of Schedule 1 to the Trustee Savings Banks Act 1985 (supplementary transfer provisions), in paragraph 11(4A)(a), for “Part 4” substitute “Part 4A”.

Administration of Justice Act 1985 (c. 61)

- 49 In section 21 of the Administration of Justice Act 1985 (professional indemnity and compensation), in subsection (5)(a), for “Part 4” substitute “Part 4A”.

Housing Act 1985 (c. 68)

- 50 In section 622 of the Housing Act 1985 (minor definitions: general), in subsection (1), in the definitions of “authorised deposit taker”, “authorised insurer” and “authorised mortgage lender”, for “Part 4” substitute “Part 4A”.

Insolvency Act 1986 (c. 45)

- 51 The Insolvency Act 1986 is amended as follows.
- 52 (1) Section 4A (approval of proposed voluntary arrangement) is amended as follows.
- (2) In subsection (5), for “Financial Services Authority” substitute “appropriate regulator”.
- (3) After that subsection insert—
- “(5A) The appropriate regulator” means—
 - (a) where the regulated company is a PRA-regulated company within the meaning of paragraph 44 of Schedule A1, the Financial Conduct Authority and the Prudential Regulation Authority, and
 - (b) in any other case, the Financial Conduct Authority.”
- 53 In section 422 (order relating to formerly authorised banks), in subsection (1)—
- (a) for “Financial Services Authority” substitute “Financial Conduct Authority and the Prudential Regulation Authority”, and
 - (b) in paragraph (b), for “Part IV” substitute “Part 4A”.

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- 54 (1) Paragraph 44 of Schedule A1 (moratorium where directors propose voluntary arrangement; modifications relating to regulated companies) is amended as follows.
- (2) In sub-paragraphs (2) to (4), for “Authority” substitute “appropriate regulator”.
- (3) In sub-paragraph (5)—
- (a) for “the Authority”, in the first place, substitute “a regulator”, and
 - (b) for “the Authority”, in the second place, substitute “the appropriate regulator”.
- (4) In sub-paragraph (6), for “Authority” substitute “appropriate regulator”.
- (5) In sub-paragraph (7)—
- (a) for “the Authority”, in the first place, substitute “a regulator”, and
 - (b) for “the Authority”, in the second place, substitute “the appropriate regulator”.
- (6) In sub-paragraphs (8) to (11), for “Authority” substitute “appropriate regulator”.
- (7) In sub-paragraph (12)—
- (a) for “the Authority”, in the first place, substitute “a regulator”, and
 - (b) for “the Authority”, in the second place, substitute “the appropriate regulator”.
- (8) In sub-paragraph (13), for “Authority” substitute “appropriate regulator”.
- (9) In sub-paragraph (14)—
- (a) for “the Authority”, in the first place, substitute “a regulator”, and
 - (b) for “the Authority”, in the second place, substitute “the appropriate regulator”.
- (10) In sub-paragraph (15), for “Authority” substitute “appropriate regulator”.
- (11) In sub-paragraph (16)—
- (a) for “the Authority”, in the first place, substitute “a regulator”, and
 - (b) for “the Authority”, in the second place, substitute “the appropriate regulator”.
- (12) After sub-paragraph (16) insert—
- “(16A) If either regulator makes an application to the court under any of the provisions mentioned in sub-paragraphs (5), (7), (12), (14) or (16) in relation to a PRA-regulated company, the other regulator is entitled to be heard on the application.”
- (13) In sub-paragraph (17), for “Authority” substitute “appropriate regulator”.
- (14) After sub-paragraph (17) insert—
- “(17A) The appropriate regulator” means—
- (a) for the purposes of sub-paragraphs (2) to (8) and (10) to (17)—
 - (i) where the regulated company is a PRA-regulated company, each of the Financial Conduct Authority and the Prudential Regulation Authority, and
 - (ii) in any other case, the Financial Conduct Authority;

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- (b) for the purposes of sub-paragraph (9)—
 - (i) where the regulated company is a PRA-regulated company, the Financial Conduct Authority or the Prudential Regulation Authority, and
 - (ii) in any other case, the Financial Conduct Authority.”
- (15) In sub-paragraph (18)—
 - (a) for the definition of “the Authority” and the “and” following it substitute—
 - ““PRA-authorized person” has the meaning given by section 2B(5) of the Financial Services and Markets Act 2000;
 - “PRA-regulated activity” has the meaning given by section 22A of the Financial Services and Markets Act 2000;
 - “PRA-regulated company” means a regulated company which—
 - (a) is, or has been, a PRA-authorized person,
 - (b) is, or has been, an appointed representative within the meaning given by section 39 of the the Financial Services and Markets Act 2000, whose principal (or one of whose principals) is, or was, a PRA-authorized person, or
 - (c) is carrying on, or has carried on, a PRA-regulated activity in contravention of the general prohibition;”.
 - (b) after the definition of “regulated company” insert—
 - ““regulator” means the Financial Conduct Authority or the Prudential Regulation Authority.”
- (16) In the italic heading, for “Financial Services Authority” substitute “Financial Conduct Authority and Prudential Regulation Authority”.

55 (1) Schedule B1 (administration) is amended as follows.

- (2) In paragraph 40 (dismissal of pending winding-up petition), in sub-paragraph (2) (b), for “Financial Services Authority” substitute “Financial Conduct Authority or Prudential Regulation Authority”.
- (3) In paragraph 42 (moratorium on insolvency proceedings), in sub-paragraph (4) (b), for “Financial Services Authority” substitute “Financial Conduct Authority or Prudential Regulation Authority”.
- (4) In paragraph 82 (public interest winding-up), in sub-paragraph (1)(b), for “Financial Services Authority” substitute “Financial Conduct Authority or Prudential Regulation Authority”.

Debtors (Scotland) Act 1987 (c. 18)

- 56 In section 73F of the Debtors (Scotland) Act 1987 (protection of minimum balance in bank accounts), in subsection (5)(b), for “Part 4” substitute “Part 4A”.

Housing (Scotland) Act 1987 (c. 26)

- 57 In section 338 of the Housing (Scotland) Act 1987 (interpretation), in subsection (1) —
- (a) in the definition of “bank”, for “Part 4” substitute “Part 4A”, and
 - (b) in the definition of “insurance company” for “Part 4” substitute “Part 4A”.

Income and Corporation Taxes Act 1988 (c. 1)

- 58 (1) The Income and Corporation Taxes Act 1988 is amended as follows.
- (2) In section 266 (life assurance premiums), in subsection (2)(a)(i), for “Part 4” substitute “Part 4A”.
 - (3) In section 376 (qualifying borrowers and qualifying lenders), in subsection (4)(e), for “Part 4” substitute “Part 4A”.
 - (4) In section 376A (the register of qualifying lenders), in subsection (1A)(a), for “Part 4” substitute “Part 4A”.
 - (5) In section 431 (interpretation: insurance companies), in subsection (2), in the definition of “insurance company”, for “Part 4” substitute “Part 4A”.
 - (6) In section 444AB (transfer schemes)—
 - (a) in subsection (2)(b), for “Part 4” substitute “Part 4A”, and
 - (b) in subsection (2A)(b), for “Part 4” substitute “Part 4A”.

Access to Medical Reports Act 1988 (c. 28)

- 59 In section 2 of the Access to Medical Reports Act 1988 (interpretation), in subsection (1), in the definition of “insurer”, for “Part 4” substitute “Part 4A”.

Road Traffic Act 1988 (c. 52)

- 60 In section 95 of the Road Traffic Act 1988 (notification of refusal of insurance on grounds of health), in subsection (3)(a), for “Part 4” substitute “Part 4A”.

Water Act 1989 (c. 15)

- 61 In section 174 of the Water Act 1989 (restriction on disclosure of information), in subsection (2)(e), for “or the Financial Services Authority” substitute “, the Financial Conduct Authority, the Prudential Regulation Authority or the Bank of England”.

Companies Act 1989 (c. 40)

- 62 The Companies Act 1989 is amended as follows.
- 63 (1) Section 82 (request for assistance by overseas regulatory authority) is amended as follows.
- (2) In subsection (2)(a)—
 - (a) in sub-paragraph (ii), for “Financial Services Authority” substitute “FCA, the PRA or the Bank of England”, and
 - (b) omit sub-paragraph (iii).
 - (3) In subsection (3), for “Financial Services Authority” substitute “corresponding UK regulator (if any)”.
 - (4) After that subsection insert—
 - “(3A) In subsection (3), “the corresponding UK regulator” means such one or more of the FCA, PRA and the Bank of England as appears to the Secretary of

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State to exercise functions corresponding to the regulatory functions for the purposes of which the request is made.”

- (5) In subsection (5)—
- (a) for “Financial Services Authority”, in the first place, substitute “FCA and the PRA”,
 - (b) for “Financial Services Authority”, in the second place, substitute “FCA or the PRA”, and
 - (c) for “the Authority” substitute “the body giving the notification”.
- 64 (1) Section 87 (exceptions from restrictions on disclosure) is amended as follows.
- (2) In subsection (2)(b), for sub-paragraph (i) substitute—
- “(i) a decision of the FCA;
 - (ia) a decision of the PRA;”.
- (3) In subsection (4), in the Table, in the entry relating to the Financial Services Authority, for “The Financial Services Authority” substitute “The FCA or the PRA”.
- 65 (1) Section 157 (change in default rules) is amended as follows.
- (2) In subsection (1)—
- (a) for “Authority”, in the first place, substitute “appropriate regulator”, and
 - (b) for “Authority”, in the second place, substitute “regulator”.
- (3) At the end insert—
- “(4) The appropriate regulator”—
- (a) in relation to a recognised UK investment exchange, means the FCA, and
 - (b) in relation to a recognised UK clearing house, means the Bank of England.”
- 66 (1) Section 162 (duty to report on completion of default proceedings) is amended as follows.
- (2) In subsections (1) and (1A), for “Authority” substitute “appropriate regulator”.
- (3) In subsection (4), for “Authority” substitute “appropriate regulator”.
- (4) At the end insert—
- “(7) The appropriate regulator”—
- (a) in relation to a recognised investment exchange or a recognised overseas investment exchange, means the FCA, and
 - (b) in relation to a recognised clearing house or a recognised overseas clearing house, means the Bank of England.”
- 67 (1) Section 167 (application to determine whether default proceedings to be taken) is amended as follows.
- (2) In subsections (1B), (3) (in both places), (4) and (5) (in both places), for “Authority” substitute “appropriate regulator”.
- (3) At the end insert—
- “(6) The appropriate regulator”—

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Water Resources Act 1991 (c. 57)

- 73 In section 204 of the Water Resources Act 1991 (restriction on disclosure of information), in subsection (2)(e), for “or the Financial Services Authority” substitute “, the Financial Conduct Authority, the Prudential Regulation Authority or the Bank of England”.

Social Security Administration Act 1992 (c. 5)

- 74 (1) The Social Security Administration Act 1992 is amended as follows.
- (2) In section 15A (payment out of benefit of sums in respect of mortgage interest), in subsection (4), in the definitions of “deposit taker” and “insurer”, for “Part 4” substitute “Part 4A”.
- (3) In section 109B (power to require information), in subsection (7), in the definitions of “bank” and “insurer”, for “Part IV” substitute “Part 4A”.

Judicial Pensions and Retirement Act 1993 (c. 8)

- 75 (1) The Judicial Pensions and Retirement Act 1993 is amended as follows.
- (2) In section 10 (additional benefits from voluntary contributions), in subsection (8), in the definitions of “authorised provider” and “insurer”, for “Part 4” substitute “Part 4A”.
- (3) In Part 1 of Schedule 2 (transfer of accrued benefits: interpretation), in paragraph 1, in the definition of “authorised insurer”, for “Part 4” substitute “Part 4A”.

Criminal Justice Act 1993 (c. 36)

- 76 In Schedule 1 to the Criminal Justice Act 1993 (special defences), in paragraph 5(2), for “section 144(1)” substitute “section 137Q”.

Railways Act 1993 (c. 43)

- 77 (1) The Railways Act 1993 is amended as follows.
- (2) In section 145 (restrictions on disclosure of information), in subsection (2)(c), for “or the Financial Services Authority” substitute “, the Financial Conduct Authority or the Prudential Regulation Authority”.
- (3) In section 151 (general interpretation), in subsection (1), in the definition of “securities”, for “section 74(5)” substitute “section 102A(2)”.

Pension Schemes Act 1993 (c. 48)

- 78 (1) The Pension Schemes Act 1993 is amended as follows.
- (2) In section 149 (procedure on an investigation by the Pensions Ombudsman), in subsection (6)—
- (a) for paragraph (e) substitute—
- “(e) the Financial Conduct Authority,
(ea) the Prudential Regulation Authority,
(eb) the Bank of England,” and

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(b) in paragraph (o), for “a body corporate established in accordance with paragraph 2(1)” substitute “the body corporate mentioned in paragraph 2”.

(3) In section 158A (disclosures by the Secretary of State), in subsection (1), in the Table, for the entry relating to the Financial Services Authority substitute—

| | |
|-------------------------------------|-------------------------|
| “The Financial Conduct Authority | Any of its functions. |
| The Prudential Regulation Authority | Any of its functions.”. |

(4) In section 180A (insurer and long-term insurance business), in subsection (1)(a), for “Part 4” substitute “Part 4A”.

(5) In section 185 (duty to consult before making regulations)—

(a) in subsection (7), for “the Financial Services Authority” substitute “the appropriate regulator”, and

(b) after that subsection insert—

“(7A) The appropriate regulator” means—

(a) where the group insurance business to which the regulations relate consists only of activities which are PRA-regulated activities, the Prudential Regulation Authority,

(b) where the group insurance business to which the regulations relate consists partly of activities which are PRA-regulated activities and partly of other regulated activities, the Prudential Regulation Authority and the Financial Conduct Authority, or

(c) in any other case, the Financial Conduct Authority.

(7B) In subsection (7A) “regulated activities” and “PRA-regulated activities” have the same meaning as in the Financial Services and Markets Act 2000.”

Finance Act 1994 (c. 9)

79 (1) The Finance Act 1994 is amended as follows.

(2) In Schedule 7 (insurance premium tax), in paragraph 28B—

(a) in sub-paragraph (1)—

(i) for “the Financial Services Authority (“the Authority”)” substitute “a regulator”, and

(ii) for “assisting the Authority” substitute “assisting the regulator”, and

(b) in sub-paragraph (2)—

(i) for “the Authority”, in the first place, substitute “a regulator”, and

(ii) for “the Authority”, in the second place, substitute “the regulator”.

(c) after that sub-paragraph insert—

“(3) In this paragraph “regulator” means—

(a) the Financial Conduct Authority;

(b) the Prudential Regulation Authority.”

(3) In Schedule 24 (provisions relating to the Railways Act 1993), in paragraph 19(7), in the definition of “securities”, for “section 74(5)” substitute “section 102A(2)”.

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Coal Industry Act 1994 (c. 21)

- 80 In section 59 of the Coal Industry Act 1994 (information to be kept confidential), in subsection (3)(b), for “and the Financial Services Authority” substitute “, the Financial Conduct Authority and the Prudential Regulation Authority”.

Value Added Tax Act 1994 (c. 23)

- 81 In Part 2 of Schedule 9 to the Value Added Tax Act 1994 (exemptions: groups), in Group 5 (finance), in Note (6), in the definitions of “closed-ended collective investment undertaking” and “individually recognised overseas scheme”, for “Financial Services Authority” substitute “Financial Conduct Authority”.

Pensions Act 1995 (c. 26)

- 82 (1) The Pensions Act 1995 is amended as follows.
- (2) In section 49 (responsibilities of trustees etc.), in subsection (8A)(a), for “Part 4” substitute “Part 4A”.
- (3) In section 172 (information about public service schemes), in subsection (1)(a), for “section 150” substitute “section 138D”.

Finance Act 1997 (c. 16)

- 83 In section 96 of the Finance Act 1997 (demutualisation of insurance companies), in subsection (8), in the definition of “general insurance company”, for “Part 4” substitute “Part 4A”.

Social Security (Recovery of Benefits) Act 1997 (c. 27)

- 84 In Part 1 of Schedule 1 to the Social Security (Recovery of Benefits) Act 1997 (compensation payments: exempted payments), in paragraph 5(2)(a), for “Part 4” substitute “Part 4A”.

Bank of England Act 1998 (c. 11)

- 85 (1) The Bank of England Act 1998 is amended as follows.
- (2) In section 17 (power to obtain information), in subsections (3D) and (7)(a), for “Part 4” substitute “Part 4A”.
- (3) Omit—
- (a) section 21 and the italic heading before it;
 - (b) section 23(2);
 - (c) section 24 and the italic heading before it.
- (4) In Schedule 2 (cash ratio deposits), in paragraph 1(1A)(c), for “Part 4” substitute “Part 4A”.
- (5) In Schedule 7 (restriction on disclosure of information), in paragraph 3, in the Table—
- (a) for “Financial Services Authority” substitute “Financial Conduct Authority or the Prudential Regulation Authority”, and

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- (b) omit the entry relating to the competent authority for the purposes of Part 6 of the Financial Services Act 2000.

Data Protection Act 1998 (c. 29)

- 86 In Schedule 7 to the Data Protection Act 1998 (miscellaneous exemptions), in paragraph 6(3), in the definition of “relevant person”, in paragraph (a), for “Part IV” substitute “Part 4A”.

Terrorism Act 2000 (c. 11)

- 87 (1) The Terrorism Act 2000 is amended as follows.
- (2) In Part 2 of Schedule 3A (supervisory authorities), in paragraph 4(1)—
- (a) for paragraph (c) substitute—
“ (c) the Financial Conduct Authority;”, and
 - (b) after paragraph (e) insert—
“ (ea) the Prudential Regulation Authority;”.
- (3) In Schedule 6 (financial information), in paragraph 6(1)(a), for “Part 4” substitute “Part 4A”.

Regulation of Investigatory Powers Act 2000 (c. 23)

- 88 In Part 1 of Schedule 1 to the Regulation of Investigatory Powers Act 2000 (relevant authorities), for paragraph 19 substitute—
- “19 The Financial Conduct Authority.
 - 19A The Prudential Regulation Authority.”

Utilities Act 2000 (c. 27)

- 89 In section 105 of the Utilities Act 2000 (general restriction on disclosure of information), in subsection (4)(da), for “or the Financial Services Authority” substitute “, the Financial Conduct Authority, the Prudential Regulation Authority or the Bank of England”.

Trustee Act 2000 (c. 29)

- 90 (1) Section 29 of the Trustee Act 2000 (remuneration of certain trustees) is amended as follows.
- (2) In subsection (3)—
- (a) for “an authorised institution under the Banking Act 1987” substitute “a deposit taker”, and
 - (b) for “institution's” substitute “deposit taker's”.
- (3) After that subsection insert—
- “(3A) In subsection (3), “deposit taker” means—
 - (a) a person who has permission under Part 4A of the Financial Services and Markets Act 2000 to accept deposits, or

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- (b) an EEA firm of the kind mentioned in paragraph 5(b) of Schedule 3 to that Act which has permission under paragraph 15 of that Schedule (as a result of qualifying for authorisation under paragraph 12(1) of that Schedule) to accept deposits.
- (3B) A reference in subsection (3A) to a person or firm with permission to accept deposits does not include a person or firm with permission to do so only for the purposes of, or in the course of, carrying on another regulated activity in accordance with that permission.
- (3C) Subsections (3A) and (3B) must be read with—
 - (a) section 22 of the Financial Services and Markets Act 2000,
 - (b) any relevant order under that section, and
 - (c) Schedule 2 to that Act.”.

Freedom of Information Act 2000 (c. 36)

- 91 In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (other public bodies and offices: general)—
- (a) omit the entry relating to the Financial Services Authority, and
 - (b) at the appropriate place in each case insert—
 - “The Financial Conduct Authority.”;
 - “The Prudential Regulation Authority.”.

Criminal Justice and Police Act 2001 (c. 16)

- 92 In section 57 of the Criminal Justice and Police Act 2001 (retention of seized items), in subsection (1)(o), for “section 176(8)” substitute “section 176A”.

Anti-terrorism, Crime and Security Act 2001 (c. 24)

- 93 In Part 5 of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001 (property earmarked as terrorist property), in paragraph 16(6)—
- (a) for “Financial Services Authority under” substitute “Financial Conduct Authority, the Prudential Regulation Authority or the Bank of England under or by virtue of”, and
 - (b) omit “of authority”.

Proceeds of Crime Act 2002 (c. 29)

- 94 (1) The Proceeds of Crime Act 2002 is amended as follows.
- (2) In section 282 (exemptions), in subsection (3)—
- (a) for “Financial Services Authority” substitute “Financial Conduct Authority or the Prudential Regulation Authority”, and
 - (b) for “the authority” substitute “it”.
- (3) In section 308 (general exceptions), in subsection (7)(a)—
- (a) for “Financial Services Authority under” substitute “Financial Conduct Authority, the Prudential Regulation Authority or the Bank of England under or by virtue of”, and
 - (b) omit “of authority”.

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- (4) In Part 2 of Schedule 9 (supervisory authorities), in paragraph 4(1)—
 - (a) for paragraph (c) substitute—
 - “(c) Financial Conduct Authority;” and
 - (b) after paragraph (e) insert—
 - “(ea) Prudential Regulation Authority;”.

Enterprise Act 2002 (c. 40)

- 95 (1) The Enterprise Act 2002 is amended as follows.
- (2) In section 213 (enforcers), in subsection (5A)(c), for “Financial Services Authority” substitute “Financial Conduct Authority”.
 - (3) In Schedule 14 (specified functions), in the entry relating to the Financial Services and Markets Act 2000, for “Chapter 3 of Part 10 and Chapter 2 of Part 18” substitute “Chapter 4 of Part 9A”.

Nationality, Immigration and Asylum Act 2002 (c. 41)

- 96 In section 135 of the Nationality, Immigration and Asylum Act 2002 (financial institution to provide information), in subsection (2)(a), for “Part 4” substitute “Part 4A”.

Income Tax (Earnings and Pensions) Act 2003 (c. 1)

- 97 (1) The Income Tax (Earnings and Pensions) Act 2003 is amended as follows.
- (2) In Part 4 of Schedule 2 (approved share incentive plans: types of shares that may be awarded), in paragraph 30(3)—
 - (a) for “competent authority for listing” substitute “Financial Conduct Authority”, and
 - (b) for “section 74(4)” substitute “section 73A”.
 - (3) In Part 4 of Schedule 3 (approved SAYE option schemes: applicable shares), in paragraph 21(5)—
 - (a) for “competent authority for listing” substitute “Financial Conduct Authority”, and
 - (b) for “section 74(4)” substitute “section 73A”.
 - (4) In Part 4 of Schedule 4 (approved CSOP schemes: applicable shares), in paragraph 19(5)—
 - (a) for “competent authority for listing” substitute “Financial Conduct Authority”, and
 - (b) for “section 74(4)” substitute “section 73A”.

Finance Act 2003 (c. 14)

- 98 In section 63 of the Finance Act 2003 (demutualisation of insurance company), in subsection (7), in the definition of “general insurance company”, for “Part 4” substitute “Part 4A”.

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Health and Social Care (Community Health and Standards) Act 2003 (c. 43)

- 99 In Schedule 10 to the Health and Social Care (Community Health and Standards) Act 2003 (recovery of NHS charges (exempted payments)), in paragraph 4(2)(a), for “Part 4” substitute “Part 4A”.

Finance Act 2004 (c. 12)

- 100 In Part 1 of Schedule 28 to the Finance Act 2004 (pension rules), in paragraph 14(3) (a), for “Financial Services Authority” substitute “Financial Conduct Authority or the Prudential Regulation Authority”.

Energy Act 2004 (c. 20)

- 101 In Part 4 of Schedule 20 to the Energy Act 2004 (modifications of Insolvency Act 1986), in paragraph 42(3), for “administration applications by Financial Services Authority” substitute “administration order”.

Fire and Rescue Services Act 2004 (c. 21)

- 102 In section 35 of the Fire and Rescue Services Act 2004 (provision of information in connection with pensions), in subsection (2)(a), for “section 150” substitute “section 138D”.

Companies (Audit, Investigations and Community Enterprise) Act 2004 (c. 27)

- 103 In section 14 of the Companies (Audit, Investigations and Community Enterprise) Act 2004 (supervision of accounts and reports of issuers of listed securities), in subsections (2)(b) and (7)(b), for “Financial Services Authority” substitute “Financial Conduct Authority”.

Pensions Act 2004 (c. 35)

- 104 (1) The Pensions Act 2004 is amended as follows.
- (2) In section 115 (borrowing), in subsection (3), in the definition of “deposit-taker”, for “Part 4” substitute “Part 4A”.
- (3) In Schedule 3 (disclosure of restricted information by the Pensions Regulator), in the Table—
- | | |
|---|-----------------------------|
| (a) for the entry relating to the Financial Services Authority substitute— | |
| “The Financial Conduct Authority | Any of its functions. |
| The Prudential Regulation Authority | Any of its functions.”, and |
| (b) in the entry relating to a member of the panel appointed under paragraph 4 of Schedule 17 to the Financial Services and Markets Act 2000, for “established by” substitute “mentioned in”. | |
- (4) In Schedule 8 (disclosure of restricted information by the Board of the Pension Protection Fund), in the Table—
- (a) for the entry relating to the Financial Services Authority substitute—

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| | |
|-------------------------------------|-----------------------------|
| “The Financial Conduct Authority | Any of its functions. |
| The Prudential Regulation Authority | Any of its functions.”, and |

(b) in the entry relating to a member of the panel appointed under paragraph 4 of Schedule 17 to the Financial Services and Markets Act 2000, for “established by” substitute “mentioned in”.

Inquiries Act 2005 (c. 12)

- 105 In section 23 of the Inquiries Act 2005 (risk of damage to the economy), in subsection (1), for “Financial Services Authority” substitute “Financial Conduct Authority, the Prudential Regulation Authority”.

Serious Organised Crime and Police Act 2005 (c. 15)

- 106 (1) Section 71 of the Serious Organised Crime and Police Act 2005 (immunity from prosecution) is amended as follows.
- (2) In subsection (4), for paragraph (da) substitute—
- “(da) the Financial Conduct Authority;
 - (daa) the Prudential Regulation Authority;
 - (dab) the Bank of England, where the indictable offence or offence triable either way which is being investigated or prosecuted is an offence under the Financial Services and Markets Act 2000;”.
- (3) In subsection (6A), for “Financial Services Authority” substitute “Financial Conduct Authority, the Prudential Regulation Authority, the Bank of England”.
- (4) For subsection (6B) substitute—
- “(6B) Paragraph 8(1) of Schedule 1ZA and paragraph 16(1) of Schedule 1ZB to the Financial Services and Markets Act 2000 (arrangements for discharging functions) do not apply to the exercise of the powers conferred on the Financial Conduct Authority or the Prudential Regulation Authority under this Chapter.
 - (6BA) Paragraph 11 of Schedule 1 to the Bank of England Act 1998 (power to delegate) does not apply to the exercise of the powers conferred on the Bank of England under this Chapter.”
- (5) In subsection (6C)—
- (a) for “Financial Services Authority” substitute “Financial Conduct Authority, the Prudential Regulation Authority, the Bank of England”, and
 - (b) for “either of them” substitute “any of them”.

Gambling Act 2005 (c. 19)

- 107 In Part 2 of Schedule 6 to the Gambling Act 2005 (exchange of information: enforcement and regulatory bodies)—
- (a) omit the entry “The Financial Services Authority”, and
 - (b) at the appropriate place in each case insert—
“The Financial Conduct Authority”;

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“The Prudential Regulation Authority”.

Finance (No. 2) Act 2005 (c. 22)

- 108 In section 18 of the Finance (No. 2) Act 2005 (regulations under section 17), in subsection (3)(a), for “Financial Services Authority” substitute “Financial Conduct Authority”.

Compensation Act 2006 (c. 29)

- 109 (1) Section 3 of the Compensation Act 2006 (mesothelioma: damages) is amended as follows.
- (2) In subsection (8)—
- (a) omit paragraph (a), and
- (b) in paragraph (f), for “Financial Services Authority” substitute “Financial Conduct Authority or the Prudential Regulation Authority”.
- (3) Omit subsection (9).

Companies Act 2006 (c. 46)

- 110 The Companies Act 2006 is amended as follows.
- 111 In section 384 (companies excluded from small companies regime), in subsection (2) (c), for “Part 4” substitute “Part 4A”.
- 112 (1) Section 461 (permitted disclosure of information obtained under compulsory powers) is amended as follows.
- (2) In subsection (3), for paragraph (e) and the “or” following it, substitute—
- (e) “(e) the Financial Conduct Authority,
- (ea) the Prudential Regulation Authority, or”.
- (3) In subsection (4)(g), for “Financial Services Authority” substitute “Financial Conduct Authority or the Prudential Regulation Authority”.
- 113 In section 467 (companies excluded from being treated as medium-sized), in subsection (1)(b)(i) and (2)(c), for “Part 4” substitute “Part 4A”.
- 114 In section 470 (power to apply provisions to banking partnerships), in subsection (2), for “Part 4” substitute “Part 4A”.
- 115 In section 474 (definitions), in subsection (1), in the definition of “e-money issuer”, for “Part 4” substitute “Part 4A”.
- 116 In section 539 (definitions), in subsection (1), in the definition of “e-money issuer”, for “Part 4” substitute “Part 4A”.
- 117 (1) Section 843 (realised profits and losses of long-term insurance business) is amended as follows.
- (2) In subsection (2)(b), for “section 142(2)” substitute “Part 9A”.
- (3) In subsection (6)(a), for “Part 10” substitute “Part 9A”.
- 118 In section 948 (restrictions on disclosure), in subsection (7)—

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- (a) for paragraph (a) substitute—
 - “(a) the Financial Conduct Authority;
 - (aa) the Prudential Regulation Authority;
 - (ab) the Bank of England;”, and
 - (b) in paragraph (c), for “Financial Services Authority” substitute “Financial Conduct Authority or the Prudential Regulation Authority or similar to the regulatory functions of the Bank of England”.
- 119 In section 950 (Panel on Takeovers and Mergers: duty of co-operation), in subsection (1)—
 - (a) for paragraph (a) substitute—
 - “(a) the Financial Conduct Authority;
 - (aa) the Prudential Regulation Authority;
 - (ab) the Bank of England;”, and
 - (b) in paragraph (c), for “Financial Services Authority” substitute “Financial Conduct Authority or the Prudential Regulation Authority or similar to the regulatory functions of the Bank of England”.
- 120 In section 995 (petition by Secretary of State), in subsection (1)—
 - (a) in paragraph (c), for “or the Financial Services Authority” substitute “, the Financial Conduct Authority, the Prudential Regulation Authority or the Bank of England”, and
 - (b) in paragraph (d), for “or the Financial Services Authority” substitute “, the Financial Conduct Authority, the Prudential Regulation Authority or the Bank of England”.
- 121 In section 1164 (meaning of “banking company” and “banking group”), in subsection (2), for “Part 4” substitute “Part 4A”.
- 122 In section 1165 (meaning of “insurance company” etc.), in subsection (2), for “Part 4” substitute “Part 4A”.
- 123 (1) Schedule 2 (specified persons and descriptions of disclosure for the purposes of section 948) is amended as follows.
 - (2) In Part 1, in section (A) (United Kingdom), for paragraph 5 substitute—
 - “5 The Financial Conduct Authority.
 - 5A The Prudential Regulation Authority.”
 - (3) In Part 2, in section (A) (United Kingdom)—
 - (a) in paragraph 11, for “paragraph 7 of Schedule 1 to the Financial Services and Markets Act 2000” substitute “section 84 of the Financial Services Act 2012”,
 - (b) in paragraph 12, for “section 15 of the Financial Services and Markets Act 2000” substitute “section 69 of the Financial Services Act 2012”,
 - (c) in paragraph 37, for “Financial Services Authority” substitute “Financial Conduct Authority or the Prudential Regulation Authority”,
 - (d) in paragraph 49, for paragraph (a) substitute—
 - “(a) a decision of the Financial Conduct Authority;
 - (aa) a decision of the Prudential Regulation Authority;”.

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- (4) In Part 3, in paragraph 1(2), for “Financial Services Authority” substitute “Financial Conduct Authority or the Prudential Regulation Authority or similar to the regulatory functions of the Bank of England”.
- 124 (1) Schedule 11A (specified persons, description, disclosures etc. for the purposes of section 1224A) is amended as follows.
- (2) In Part 1, for paragraph 5 substitute—
- “5 The Financial Conduct Authority.
- 5A The Prudential Regulation Authority.”
- (3) In Part 2—
- (a) in paragraph 28, for “paragraph 7 of Schedule 1 to the Financial Services and Markets Act 2000” substitute “section 84 of the Financial Services Act 2012”,
- (b) in paragraph 29, for “section 15 of the Financial Services and Markets Act 2000 (c. 8)” substitute “section 69 of the Financial Services Act 2012”,
- (c) in paragraph 52, for “Financial Services Authority” substitute “Financial Conduct Authority or the Prudential Regulation Authority”, and
- (d) in paragraph 71, for paragraph (a) substitute—
- “(a) a decision of the Financial Conduct Authority;
- (aa) a decision of the Prudential Regulation Authority;”.

Legal Services Act 2007 (c. 29)

- 125 (1) The Legal Services Act 2007 is amended as follows.
- (2) In section 64 (modification of functions of the Legal Services Board), in subsection (5), in the definition of “authorised insurer”, for “Part 4” substitute “Part 4A”.
- (3) In section 169 (disclosure of information to the Legal Services Board), for subsection (5)(f) substitute—
- “(f) the Financial Conduct Authority;
- (g) the Prudential Regulation Authority;
- (h) the Bank of England.”
- (4) In section 195 (application of the Legal Profession and Legal Aid (Scotland) Act 2007), in subsection (2)(e), for “Financial Services Authority” substitute “Financial Conduct Authority”.

Regulatory Enforcement and Sanctions Act 2008 (c. 13)

- 126 In Schedule 5 to the Regulatory Enforcement and Sanctions Act 2008 (Designated Regulators)—
- (a) for “Financial Services Authority” substitute “Financial Conduct Authority”, and
- (b) after the entry for the Pensions Regulator insert—
- “Prudential Regulation Authority”.

Counter-Terrorism Act 2008 (c. 28)

- 127 (1) Schedule 7 to the Counter-Terrorism Act 2008 (terrorist financing and money laundering) is amended as follows.
- (2) In Part 5 (enforcement: information powers)—
- (a) in paragraph 18(1), for paragraph (a) substitute—
“(a) The Financial Conduct Authority (“the FCA”),”,
 - (b) in paragraph 18(2), in both places, for “FSA” substitute “FCA”, and
 - (c) in paragraph 21(7), for “FSA” substitute “FCA”.
- (3) In Part 6 (enforcement: civil penalties)—
- (a) in paragraph 27(1), for “FSA” substitute “FCA”, and
 - (b) in paragraph 28(1), for “FSA” substitute “FCA”.
- (4) In Part 7 (enforcement: offences), in paragraph 33—
- (a) in sub-paragraphs (1)(a) and (2)(a), for “FSA” substitute “FCA”, and
 - (b) in sub-paragraph (3) omit “by FSA”.
- (5) In Part 8 (supplemental)—
- (a) in paragraph 39(2)(a) for “FSA” substitute “FCA”,
 - (b) in paragraph 41(1)—
 - (i) for “Parts 1, 2 and 4 of Schedule 1” substitute ““Parts 1, 3 and 5 of Schedule 1ZA”, and
 - (ii) for “FSA” substitute “FCA”,
 - (c) in the italic heading before paragraph 41, for “Financial Services Authority” substitute “Financial Conduct Authority”, and
 - (d) in paragraph 46, in the index of defined terms, for “the FSA” substitute “the FCA”.

Dormant Bank and Building Society Accounts Act 2008 (c. 31)

- 128 In section 7 of the Dormant Bank and Building Society Accounts Act 2008 (meaning of “bank”), in subsection (2)(a), for “Part 4” substitute “Part 4A”.

Corporation Tax Act 2010 (c. 4)

- 129 (1) The Corporation Tax Act 2010 is amended as follows.
- (2) In section 161 (restricted right to dividends), in subsection (8), for paragraph (a), and the “and” following it, substitute—
- “(a) in relation to a dividend paid by a company that is a PRA-authorised person for the purposes of the FISMA, the Prudential Regulation Authority,
 - (aa) in relation to a dividend paid by a company that is authorised for the purposes of the FISMA but does not fall within paragraph (a), the Financial Conduct Authority, and”.
- (3) In section 635 (application of Chapter 6 of Part 13: banks etc. in compulsory liquidation), in subsection (2)(a), for “Part 4” substitute “Part 4A”.
- (4) In section 1120 (meaning of “bank”), in subsection (3), for “Part 4” substitute “Part 4A”.

Status: This is the original version (as it was originally enacted).

Finance Act 2010 (c. 13)

- 130 In Part 3 of Schedule 1 to the Finance Act 2010 (bank payroll tax: definitions), in paragraph 45(14)—
- (a) for paragraph (a) and the “or” following it, substitute—
 - “(a) the Financial Conduct Authority,
 - (aa) the Prudential Regulation Authority, or”, and
 - (b) in paragraph (b), for “Financial Services Authority” substitute “Financial Conduct Authority or the Prudential Regulation Authority”.

Equality Act 2010 (c. 15)

- 131 In Part 1 of Schedule 19 to the Equality Act 2010 (public authorities subject to the public sector equality duty), under the italic heading “Industry, business, finance etc”—
- (a) for “The Financial Services Authority” substitute “The Financial Conduct Authority”, and
 - (b) after the entry for the Office of Communications insert—
 - “The Prudential Regulation Authority”.

Terrorist Asset-Freezing etc. Act 2010 (c. 38)

- 132 (1) The Terrorist Asset-Freezing etc Act 2010 is amended as follows.
- (2) In section 23 (general power to disclose information), in subsection (1)—
- (a) in paragraph (e), for “Financial Services Authority” substitute “Financial Conduct Authority, the Prudential Regulation Authority”, and
 - (b) after that paragraph insert—
 - “(ea) to the Bank of England, for the purpose of enabling or assisting the Bank to exercise any powers conferred on it by or under the Financial Services and Markets Act 2000;”.
- (3) In section 41 (meaning of “relevant institution”), in subsection (1)(a), for “Part 4” substitute “Part 4A”.

Postal Services Act 2011 (c. 5)

- 133 In Part 3 of Schedule 10 to the Postal Services Act 2011 (conduct of postal administration: modification of enactments), in paragraph 41(3), for “administration applications by FSA” substitute “administration order”.

Finance Act 2011 (c. 11)

- 134 (1) Part 4 of Schedule 19 to the Finance Act 2011 (the bank levy) is amended as follows.
- (2) In paragraph 37(2), in both places, for “section 213(2)(b)” substitute “section 213(3)(b)”.
- (3) In paragraph 38(3)(a), for “section 139(1)” substitute “section 137B(1)”.

Terrorism Prevention and Investigation Measures Act 2011 (c. 23)

- 135 In Part 1 of Schedule 1 to the Terrorism Prevention and Investigation Measures Act 2011 (measures), in paragraph 5(4), for “Part 4” substitute “Part 4A”.

Charities Act 2011 (c. 25)

- 136 In section 109 of the Charities Act 2011 (dormant bank account: supplementary), in subsection (3), for “Part 4” substitute “Part 4A”.

Health and Social Care Act 2012 (c. 7)

- 137 In section 145 of the Health and Social Care Act 2012 (borrowing), in subsection (3) (a), for “Part 4” substitute “Part 4A”.

Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10)

- 138 (1) The Legal Aid, Sentencing and Punishment of Offenders Act 2012 is amended as follows.
- (2) In section 57 (effect of rules against referral fees), in subsection (4), for “Financial Services Authority” substitute “Financial Conduct Authority”.
- (3) In section 58 (regulation by FSA)—
- (a) in subsections (1) and (3)(c) and (d), for “Financial Services Authority” substitute “Financial Conduct Authority”, and
 - (b) in the heading, for “FSA” substitute “FCA”.
- (4) In section 59 (regulators and regulated persons)—
- (a) in subsection (1), in the Table, for “Financial Services Authority” substitute “Financial Conduct Authority”, and
 - (b) in subsection (2), in the Table, for “Financial Services Authority” substitute “Financial Conduct Authority”.