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SCHEDULES

SCHEDULE 5

CONSEQUENTIAL AMENDMENTS

PART I

ENACTMENTS

The Financial Services Act 1986 (c. 60)

- 7 The Financial Services Act 1986 shall be amended as follows.
- 8 In section 128C(3)(b) (enforcement in support of overseas regulatory authority) for “the Company Securities (Insider Dealing) Act 1985” there shall be substituted “Part V of the Criminal Justice Act 1993 (insider dealing)”.
- 9 (1) In section 177 (investigations into insider dealing), in subsection (1)—
- (a) for the words “there may have been a contravention of section 1, 2, 4 or 5 of the Company Securities (Insider Dealing) Act 1985” there shall be substituted “an offence under Part V of the Criminal Justice Act 1993 (insider dealing) may have been committed”; and
 - (b) for the words “contravention has occurred” there shall be substituted “offence has been committed”.
- (2) In subsection (3) of that section—
- (a) for the word “contravention” there shall be substituted “offence”; and
 - (b) in paragraph (a) for the words from “relating to” to the end there shall be substituted “which appear to them to be relevant to the investigation”.
- (3) In subsection (4) of that section for the word “contravention” there shall be substituted “offence”.
- 10 (1) In section 178 (penalties for failure to co-operate with s. 177 investigations), in subsection (1) for the words “contravention has occurred” there shall be substituted “offence has been committed”.
- (2) In subsection (6) of that section for the words “contravention or suspected contravention” there shall be substituted “offence or suspected offence”.
- 11 In subsection (1) of section 189 (restriction of Rehabilitation of Offenders Act 1974), in paragraph (b) “(including insider dealing)” shall be omitted and at the end there shall be inserted “or insider dealing”.
- 12 (1) In section 199 (powers of entry), in subsection (1) for paragraph (b) there shall be substituted—
- “(b) under Part V of the Criminal Justice Act 1993 (insider dealing)”.
- (2) After subsection (8) of that section there shall be inserted—

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“(8A) In the application of this section to Northern Ireland for the references to information on oath substitute references to complaint on oath.”.