
Changes to legislation: Financial Services Act 2012, Paragraph 1 is up to date with all changes known to be in force on or before 13 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

SCHEDULES

SCHEDULE 12

AMENDMENTS OF PARTS 11 AND 23 OF FSMA 2000

PART 1

PART 11 OF FSMA 2000: INFORMATION GATHERING AND INVESTIGATIONS

- 1 (1) Section 165 (power to require information) is amended as follows.
 - (2) In subsection (1), for “The Authority” substitute “ Either regulator ”.
 - (3) In subsection (3), for “Authority” substitute “ regulator ”.
 - (4) In subsection (4), for “the Authority” substitute “ either regulator ”.
 - (5) In subsections (5) and (6) for “The Authority”, in each place, substitute “ The regulator in question ”.
 - (6) In subsection (7), for the words from “exercised” to the end substitute “exercised—
 - (a) by either regulator, to impose requirements on a person who is connected with an authorised person;
 - (b) by the FCA, to impose requirements on an operator, trustee or depositary of a scheme recognised under section 270 or 272 who is not an authorised person;
 - (c) by the FCA, to impose requirements on a recognised investment exchange;
 - (d) by the FCA, to impose requirements on a person who is connected with a recognised investment exchange.”.
 - (7) In subsection (9)—
 - (a) for “the Authority”, in the first place, substitute “ the regulator exercising the power ”,
 - (b) for “the Authority's” substitute “that regulator's”, and
 - (c) for “the Authority”, in the second place, substitute “ that regulator ”.
 - (8) In subsection (11)—
 - (a) in the opening words, for “an authorised person” substitute “ another person ”, and
 - (b) in paragraph (d), at the end insert “ (reading references in that Part to the authorised person as references to A) ”.
 - (9) In the heading, for “Authority's” substitute “Regulators”.

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Commencement Information

II [Sch. 12 para. 1](#) in force at 1.4.2013 by [S.I. 2013/423](#), art. 3, [Sch.](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act power to apply conferred (temp.) by [2014 c. 21 s. 79\(4\)](#)
- Act power to apply conferred (temp.) by [2014 c. 21 s. 81\(10\)](#)