

## SCHEDULE 10

### MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART II

#### SUBORDINATE LEGISLATION

*Data Protection (Regulation of Financial Services etc.)  
(Subject Access Exemption) Order 1987 (S.I. 1987/1905)*

**16.**—(1) Schedule 1 to the Data Protection (Regulation of Financial Services etc.) (Subject Access Exemption) Order 1987<sup>(1)</sup> (functions designated for purposes of section 30 of Data Protection Act 1984) shall have effect as if the reference in the last but one entry relating to the Financial Services Act to any person authorised under that Act included a reference to a European investment firm carrying on home-regulated investment business in the United Kingdom.

(2) That Schedule shall also have effect as if at the end there were inserted the following entry—

---

“Investment Services Regulations 1995	Functions of the Securities and Investments Board under Regulations.”
---------------------------------------	---

---

*Banking Act 1987 (Advertisements) Regulations 1988 (S.I. 1988/645)*

**17.** Regulation 2 of the Banking Act 1987 (Advertisements) Regulations 1988 (application of Regulations) shall have effect as if the reference in paragraph (7) to a person authorised under Chapter III of Part I of the Financial Services Act included a reference to a European investment firm carrying on home-regulated investment business in the United Kingdom.

*Banking Act 1987 (Exempt Transactions) Regulations 1988 (S.I. 1988/646)*

**18.** Regulation 14 of the Banking Act 1987 (Exempt Transactions) Regulations 1988<sup>(2)</sup> shall have effect as if—

- (a) the reference in subsection (1) to a person who is an authorised person under the Financial Services Act included a reference to a European investment firm carrying on home-regulated investment business in the United Kingdom; and
- (b) the reference in paragraph (2) to such an authorised person included a reference to a European investment firm.

*Control of Misleading Advertisements Regulations 1988 (S.I. 1988/915)*

**19.** Regulation 3 of the Control of Misleading Advertisements Regulations 1988 (application) shall have effect as if—

- (a) the reference in paragraph (a) to an authorised person (within the meaning of the Financial Services Act) included a reference to a European investment firm carrying on home-regulated investment business in the United Kingdom; and

---

(1) There are amendments not relevant to these Regulations.

(2) There are amendments not relevant to these Regulations.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

- (b) the reference in that paragraph to the authorised person in question included a reference to the European investment firm in question.

*Financial Services Act 1986 (Investment Advertisements)  
(Exemptions) Order 1995 (S.I. 1995/1266)*

**20.** Article 11 of the Financial Services Act 1986 (Investment Advertisements) (Exemptions) Order 1995 (advertisements issued to persons sufficiently expert to understand the risks involved) shall have effect as if any reference to an authorised person (within the meaning of the Financial Services Act) included a reference to a European investment firm carrying on home-regulated investment business in the United Kingdom.

*Financial Services Act 1986 (Investment Advertisements)  
(Exemptions) (No. 2) Order 1995 (S.I. 1995/1536)*

**21.** Article 7 of the Financial Services Act 1986 (Investment Advertisements) (Exemptions) (No. 2) Order 1995 (advertisements issued to persons of particular kinds) shall have effect as if the reference in paragraph (1) to an authorised person (within the meaning of the Financial Services Act) included a reference to a European investment firm carrying on home-regulated investment business in the United Kingdom.

*The Public Offers of Securities Regulations 1995 (S.I. 1995/1537)*

**22.** Regulation 3 of the Public Offers of Securities Regulations 1995 (investments to which Part II of the Regulations apply) shall have effect as if—

- (a) transferable shares in a body incorporated under the law of, or of any part of, the United Kingdom relating to industrial and provident societies; and  
(b) bills of exchange accepted by a banker,

were not investments to which Part II of those Regulations are applied<sup>(3)</sup>.

---

(3) The shares and bills of exchange in question fall within paragraphs 1 and 2 respectively of Schedule 1 to the Financial Services Act 1986 by virtue of articles 3 and 4 of the Financial Services Act 1986 (Investment Services) (Extension of Scope of Act) Order 1995 (S.I. 1995/3271). As such, they would be investments to which Part II of the Public Offers of Securities Regulations applied unless excluded from the scope of regulation 3 of those Regulations.