
STATUTORY INSTRUMENTS

2001 No. 3083

The Financial Services and Markets Act 2000
(Transitional Provisions and Savings) (Civil Remedies,
Discipline, Criminal Offences etc.) (No. 2) Order 2001

PART 5

CRIMINAL OFFENCES

Offences committed before commencement

13.—(1) Sections 401 (proceedings for offences) and 403 (jurisdiction and procedure in respect of offences) have effect as if each offence to which this article applies were an offence under the Act.

(2) This article applies to any offence under any of the following provisions (or, where appropriate, subordinate legislation made under those provisions) which was committed before commencement—

- (a) the Financial Services Act;
- (b) the Banking Act;
- (c) the Insurance Companies Act;
- (d) the 2BCD Regulations;
- (e) the ISD Regulations;
- (f) section 9 or 43A of the Building Societies Act;
- (g) paragraph 3 of Schedule 3 to that Act;
- (h) section 31 of the Friendly Societies Act 1992⁽¹⁾.

(3) In any proceedings brought after commencement for an offence to which this article applies, the person charged may raise any defence or excuse which he would have been entitled to raise had the proceedings been brought before commencement, notwithstanding any repeal or revocation of any of the provisions specified by paragraph (2).