
STATUTORY INSTRUMENTS

2013 No. 441

The Financial Services Act 2012 (Transitional Provisions) (Enforcement) Order 2013

PART 9

Injunctions and restitution

Injunctions and restitution in respect of certain post-commencement contraventions

18.—(1) Paragraph (3) applies in respect of a contravention, beginning on or after the commencement date, of a requirement which—

- (a) was imposed before the commencement date under a provision listed in paragraph (2); and
- (b) is to be treated as if it had been imposed by the PRA by virtue of an order made under section 119(3) of the 2012 Act.

(2) The provisions are—

- (a) section 43 (imposition of requirements);
- (b) section 44 (variation etc. at request of authorised person);
- (c) section 45 (variation etc. on the Authority's own initiative), including the exercise of powers under section 45 by virtue of section 47 (exercise of power in support of overseas regulator);
- (d) section 46 (variation of permission on acquisition of control);
- (e) section 196 (the power of intervention).

(3) Sections 380, 382 and 384 apply as if they defined both the PRA and the FCA as the appropriate regulator in respect of the contravention.