

## SCHEDULE 4

Regulation 50(3)

### Amendments to other primary legislation

#### Building Societies Act 1986

1. In section 81B(1) of the Building Societies Act 1986 <sup>M1</sup> (interpretation of Part 8), in the definition of “regulated market”, for the words from “Article” to “2004” substitute “ Article 4.1.21 of Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 ”.

##### Marginal Citations

**M1** 1986 c.53; section 81B(1) was inserted by S.I. 2004/3380 and amended by S.I. 2007/126.

#### Finance Act 1991

2. In section 116(4)(aa) of the Finance Act 1991 <sup>M2</sup> (investment exchanges and clearing houses: stamp duty), for the words from “Directive” to “2004” substitute “ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 ”.

##### Marginal Citations

**M2** 1991 c.31; section 116(4)(aa) was inserted by paragraph 7(2) of Schedule 21 to the Finance Act 2007 (c.11).

#### Friendly Societies Act 1992

3.—(1) The Friendly Societies Act 1992 <sup>M3</sup> is amended as follows.

(2) In section 69A(4) <sup>M4</sup> (duty to prepare individual accounts), for the words from “Directive” to “2004” substitute “ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 ”.

(3) In section 69E(5) <sup>M5</sup> (duty to prepare group accounts), for the words from “Directive” to “2004” substitute “ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 ”.

##### Marginal Citations

**M3** 1992 c.40.

**M4** Section 69A(4) was inserted by S.I. 2005/2211 and amended by S.I. 2007/126.

**M5** Section 69E(5) was inserted by S.I. 2005/2211 and amended by S.I. 2007/126.

#### Data Protection Act 1998

4. In paragraph 6(3) of Schedule 7 (miscellaneous exemptions) to the Data Protection Act 1998 <sup>M6</sup>, in the definition of “instrument”, for the words from “Directive” to “2004” substitute “ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 ”.

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#### Marginal Citations

**M6** 1998 c.29; paragraph 6(3) was amended by S.I. 2002/1555 and S.I. 2007/126; there are other amendments but none is relevant.

### Competition Act 1998

5. In paragraph 3(5) of Schedule 3 (general exclusions) to the Competition Act 1998 <sup>M7</sup> in paragraph (a) of the definition of “EEA regulated market”, for the words from “Article” to “2004” substitute “ Article 56 of Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 ”.

#### Marginal Citations

**M7** 1998 c.41; paragraph 3(5) was amended by S.I. 2007/126.

### Terrorism Act 2000

6.—(1) Schedule 3A to the Terrorism Act 2000 <sup>M8</sup> (regulated sector and supervisory authorities) is amended as follows.

(2) In paragraph 1(5)(a) <sup>M9</sup> for “point 14” substitute “ point 21 ”.

(3) In paragraph 3(1) <sup>M10</sup>, in the definition of “the Markets in Financial Instruments Directive”, for the words from “2004/36/EC” to “2004” substitute “ 2014/65/EU of the European Parliament and of the Council of 15 May 2014 ”.

#### Marginal Citations

**M8** 2000 c.11; Schedule 3A was inserted by the Anti-terrorism, Crime and Security Act 2001 (c.24).

**M9** Paragraph 1(5)(a) was inserted by S.I. 2007/3288.

**M10** Paragraph 3(1) was inserted by S.I. 2007/3288 and amended by S.I. 2015/575; there are other amendments but none is relevant.

### Proceeds of Crime Act 2002

7.—(1) Schedule 9 to the Proceeds of Crime Act 2002 <sup>M11</sup> (regulated sector and supervisory authorities) is amended as follows.

(2) In paragraph 1(5)(a) <sup>M12</sup> for “point 14” substitute “ point 21 ”.

(3) In paragraph 3(1) <sup>M13</sup>, in the definition of “the Markets in Financial Instruments Directive”, for the words from “2004/39/EC” to “2004” substitute “ 2014/65/EU of the European Parliament and of the Council of 15 May 2014 ”.

#### Marginal Citations

**M11** 2002 c.29.

**M12** Paragraph 1(5)(a) was inserted by S.I. 2007/3287.

**M13** Paragraph 3(1) was inserted by S.I. 2007/3287 and amended by S.I. 2015/575; there are other amendments but none is relevant.

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## Income Tax (Trading and Other Income) Act 2005

8. In section 381E(3) of the Income Tax (Trading and Other Income) Act 2005 <sup>M14</sup> (exception for returns from certain shares) for the words from “Directive” to “4.1(14)” substitute “ Directive 2014/65/EU of the European Parliament and of the Council on markets in financial instruments (see Article 4.1.21) ”.

### Marginal Citations

**M14** 2005 c.5; section 381E(3) was inserted by paragraph 3 of Schedule 12 to the Finance Act 2013 (c.29).

## Companies Act 2006

9.—(1) The Companies Act 2006 <sup>M15</sup> is amended as follows.

(2) In section 474(1) <sup>M16</sup> (minor definitions for Part 15), in the definition of “MiFID investment firm”—

(a) for the words from “Directive” to “2004” substitute “ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 ”;

<sup>F1</sup>(b) .....

<sup>F2</sup>(c) .....

(3) In section 494A <sup>M17</sup> (interpretation), in the definition of “transferable securities”, for “Directive 2004/39/EC” substitute “ Directive 2014/65/EU ”.

(4) In section 519A(2) <sup>M18</sup> (meaning of “public interest company”, “non-public interest company” and “exempt reasons”), for “Directive 2004/39/EC” substitute “ Directive 2014/65/EU ”.

(5) In section 539 <sup>M19</sup> (minor definitions), in the definition of “MiFID investment firm”—

(a) for the words from “Directive” to “2004” substitute “ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 ”;

(b) at the end of paragraph (a) insert “ and ”; and

(c) for paragraphs (b) and (c) substitute—

“(b) a company which is an exempt investment firm as defined by regulation 8 (Meaning of “exempt investment firm” in Chapter 1) of the Financial Services and Markets Act 2000 (Markets in Financial Instruments) Regulations 2017 (S.I. 2017/XXXX);”.

(6) In section 853E(6) <sup>M20</sup> (duty to notify trading status of shares) for the definition of “relevant market” substitute—

““relevant market” means—

(a) a recognised investment exchange, as defined in section 285(1)(a) (exemption for recognised exemption exchanges and clearance houses) of the Financial Services and Markets Act 2000 (“the Act”); and

(b) any other market which is a regulated market,

but not an overseas investment exchange, as defined by section 313 (interpretation of Part 18) of the Act.”.

(7) In section 1173 (minor definitions: general)—

(a) in subsection (1) <sup>M21</sup>—

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- (i) in the definition of “regulated market” for the words from “Directive” to “4.1(14))” substitute “ Directive 2014/65/EU of the European Parliament and of the Council on markets in financial instruments (see Article 4.1.21) ”;
  - (ii) in the definition of “transferable securities”, for “Directive 2004/39/EC” substitute “ Directive 2014/65/EU ”; and
- (b) in subsection (2), in the definition of “regulated market”, for the words from “Council” to “field” substitute “ Directive 2004/39/EC of the European Parliament and of the Council on markets in financial instruments ”.
- (8) In section 1241(3) (meaning of “registered third country auditor” and “UK-traded non-EEA company”)—
- (a) in the definition of “regulated market”, for “Article 4.1(14) of Directive 2004/39/EC” substitute “ Article 4.1.21 of Directive 2014/65/EU ”; and
  - (b) in the definition of “transferable securities”, for “Article 4.1(18)” substitute “ Article 4.1.44 ”.
- (9) In paragraph 20A of Schedule 10 (recognised supervisory bodies) <sup>M22</sup> in the definition of “transferable securities” for “Directive 2004/39/EC” substitute “ Directive 2014/65/EU ”.

- F1** Sch. 4 para. 9(2)(b) revoked (2.1.2018) by [The Financial Services and Markets Act 2000 \(Markets in Financial Instruments\) \(No.2\) Regulations 2017 \(S.I. 2017/1255\)](#), regs. 2(a), **37**
- F2** Sch. 4 para. 9(2)(c) revoked (2.1.2018) by [The Financial Services and Markets Act 2000 \(Markets in Financial Instruments\) \(No.2\) Regulations 2017 \(S.I. 2017/1255\)](#), regs. 2(a), **37**

#### Marginal Citations

- M15** 2006 c.46.
- M16** Section 474(1) was amended by [S.I. 2007/2932](#); there are other amendments but none is relevant.
- M17** Section 494A was inserted by [S.I. 2016/649](#); there are amendments to this section but none is relevant.
- M18** Section 519A(2) was inserted by section 18(3) of the [Deregulation Act 2015 \(c.20\)](#) and amended by [S.I. 2016/649](#).
- M19** Section 539 was amended by [S.I. 2007/2932](#); there are other amendments but none is relevant.
- M20** Section 853E(6) was inserted by section 92 of the [Small Business, Enterprise and Employment Act 2015 \(c.26\)](#).
- M21** Subsection (1) was amended by [S.I. 2015/980](#); there are other amendments but none is relevant.
- M22** Paragraph 20A was inserted by [S.I. 2016/649](#).

#### Income Tax Act 2007

- 10.** In section 274(4) of the Income Tax Act 2007 <sup>M23</sup> (requirements for the giving of approval)—
- (a) for “Directive 2004/39/EC” substitute “ Directive 2014/65/EU ”; and
  - (b) for “Article 4.1(14)” substitute “ Article 4.1.21 ”.

#### Marginal Citations

- M23** 2007 c.3; section 274(4) was inserted by paragraph 2(2)(d) of Schedule 2 to the [Finance \(No. 3\) Act 2010 \(c.33\)](#).

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## Counter-Terrorism Act 2008

11. In paragraph 7 of Schedule 7 (terrorist financing and money laundering) to the Counter-Terrorism Act 2008 <sup>M24</sup>, in the definition of “the markets in financial instruments directive”, for the words from “Directive” to “2004” substitute “ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 ”.

### Marginal Citations

M24 2008 c.28; there are amendments to paragraph 7 but none is relevant.

## Corporation Tax Act 2010

12. In section 1158(4) (meaning of “investment trust”) of the Corporation Tax Act 2010 <sup>M25</sup> —  
(a) for “Directive 2004/39/EC” substitute “ Directive 2014/65/EU ”; and  
(b) for “Article 4.1(14)” substitute “ Article 4.1.21 ”.

### Marginal Citations

M25 2010 c.4: section 1158 was inserted by section 49(2) of the Finance Act 2011 (c.11).

## Finance Act 2010

13. In paragraph 45(15) of Schedule 1 (bank payroll tax) to the Finance Act 2010 <sup>M26</sup>, for the words from “Directive” to “2004” substitute “ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 ”.

### Marginal Citations

M26 2010 c.13.

## Finance Act 2011

14. In paragraph 13(4) of Schedule 19 to the Finance Act 2011 <sup>M27</sup> (the bank levy) in the definition of “dealing on own account”, for the words from “Directive” to “2004” substitute “ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 ”.

### Marginal Citations

M27 2011 c.11.

## Financial Services (Banking Reform) Act 2013

15. In section 11(3)(b) of the Financial Services (Banking Reform) Act 2013 <sup>M28</sup> (review of proprietary trading: interpretation), for the words from “Directive” to “2004” substitute “ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 ”.

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**M28** [2013 c.33](#).

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

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 15A inserted by [2023 c. 29 Sch. 2 para. 45](#)
- reg. 16(1A)(1B) omitted by [2023 c. 29 Sch. 2 para. 46\(4\)](#)