

## STATUTORY INSTRUMENTS

# 2019 No. 632

## The Financial Services and Markets Act 2000 (Amendment) (EU Exit) Regulations 2019

### PART 2

#### Amendments to the Act

#### CHAPTER 13

#### Part 25 of the Act: injunctions and restitution

#### Introduction

**69.** Part 25 of the Act (injunctions and restitution) is amended as follows.

#### Commencement Information

**I1** Reg. 69 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(3\)](#)

#### Section 380 (injunctions)

**70.**—(1) Section 380 <sup>M1</sup> (injunctions) is amended as follows.

(2) In subsection (6)(a)(i) <sup>M2</sup>, for “qualifying EU provision” substitute “qualifying provision”.

(3) In subsection (9) <sup>M3</sup> for “qualifying EU provision” in both places substitute “qualifying provision”.

#### Commencement Information

**I2** Reg. 70 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(3\)](#)

#### Marginal Citations

**M1** Section 380 was amended by section 37(1) of, and paragraph 1 of Part 1 and paragraphs 19(1), (2), (3) (a), (3)(b), (3)(c), (4) and (5) of Part 5 of Schedule 9 to, the Financial Services Act 2012, section 141 of, and paragraphs 3(1) and (2) of Schedule 10 to, the Financial Services (Banking Reform) Act 2013, [S.I. 2013/1773](#), 2015/1755 and 2016/225.

**M2** Subsection (6) was amended by section 37(1) of, and paragraph 1 of Part 1 and paragraphs 19(1), (3)(a), (3)(b), (3)(c) of Part 5 of Schedule 9 to, the Financial Services Act 2012, section 141 of, and paragraphs 3(1) and (2) of Schedule 10 to, the Financial Services (Banking Reform) Act 2013, [S.I. 2013/1773](#), 2015/1755 and 2016/225.

**Changes to legislation:** The Financial Services and Markets Act 2000 (Amendment) (EU Exit) Regulations 2019, CHAPTER 13 is up to date with all changes known to be in force on or before 22 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

- M3** Subsection (9) was inserted by section 37(1) of, and paragraph 1 of Part 1 and paragraphs 19(1) and (5) of Part 5 of Schedule 9 to, the Financial Services Act 2012.

### Section 382 (restitution orders)

**71.**—(1) Section 382<sup>M4</sup> (restitution orders) is amended as follows.

(2) In subsection (9)(a)(i)<sup>M5</sup>, for “qualifying EU provision” substitute “qualifying provision”.

(3) In subsection (12)<sup>M6</sup>, for “qualifying EU provision” in both places substitute “qualifying provision”.

#### Commencement Information

- I3** Reg. 71 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(3\)](#)

#### Marginal Citations

- M4** Section 382 was amended by section 37(1) of, and paragraph 1 of Part 1 and paragraphs 21(1), (2), (3), (4), (5)(a), (5)(b), (5)(c), (6), (7) of Part 5 of Schedule 9 to, the Financial Services Act 2012, section 141 of, and paragraphs 3(1), (3) of Schedule 10 to, the Financial Services (Banking Reform) Act 2013 and [S.I. 2013/1773](#).
- M5** Subsection (9)(a)(i) was amended by [S.I. 2013/1773](#).
- M6** Subsection (12) was inserted by section 37(1), and paragraph 1 of Part 1 and paragraphs 21(1) and (7) of Part 5 of Schedule 9 to, the Financial Services Act 2012.

### Section 384 (power of FCA or PRA to require restitution)

**72.**—(1) Section 384<sup>M7</sup> (power of FCA or PRA to require restitution) is amended as follows.

(2) In subsection (7)(a)<sup>M8</sup>, for “qualifying EU provision” substitute “qualifying provision”.

(3) In subsection (10)<sup>M9</sup> for “qualifying EU provision” in both places substitute “qualifying provision”.

#### Commencement Information

- I4** Reg. 72 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(3\)](#)

#### Marginal Citations

- M7** Section 384 was amended by section 37(1) of, and paragraph 1 of Part 1 and paragraphs 23(1), (2)(a), (2)(b), (4)(a), (4)(b), (5), (6)(a), (6)(b), (7), (8), (9) and (10) of Part 5 of Schedule 9 to, the Financial Services Act 2012, section 141 of, and paragraphs 3(1) and (4) of Schedule 10 to, the Financial Services (Banking Reform) Act 2013, [S.I. 2007/126](#) and 2016/680.
- M8** Subsection (7) was amended by section 37(1) of, and paragraph 1 of Part 1 and paragraphs 23(1), (6)(a) and (6)(b) of Part 5 of Schedule 9 to, the Financial Services Act 2012, section 141 of, and paragraphs 3(1) and (4) of Schedule 10 to, the Financial Services (Banking Reform) Act 2013 and [S.I. 2007/126](#).
- M9** Subsection (10) was inserted by section 37(1) of, and paragraph 1 of Part 1 and paragraphs 23(1) and (8) of Part 5 of Schedule 9 to, of the Financial Services Act 2012.

**Changes to legislation:**

The Financial Services and Markets Act 2000 (Amendment) (EU Exit) Regulations 2019, CHAPTER 13 is up to date with all changes known to be in force on or before 22 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.

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**Changes and effects yet to be applied to :**

- Regulations revoked by [2023 c. 29 Sch. 1 Pt. 2](#)