

## SCHEDULES

### SCHEDULE 12

#### AMENDMENTS OF PARTS 11 AND 23 OF FSMA 2000

##### PART 1

###### PART 11 OF FSMA 2000: INFORMATION GATHERING AND INVESTIGATIONS

- 13 (1) Section 175 (information and documents: supplemental) is amended as follows.
- (2) In subsection (1), for “the Authority” substitute “either regulator”.
- (3) After subsection (2) insert—
- “(2A) A document so produced may be retained for so long as the person to whom it is produced considers that it is necessary to retain it (rather than copies of it) for the purposes for which the document was requested.
- (2B) If the person to whom a document is so produced has reasonable grounds for believing—
- (a) that the document may have to be produced for the purposes of any legal proceedings, and
- (b) that it might otherwise be unavailable for those purposes, it may be retained until the proceedings are concluded.”
- (4) In subsection (3), for “Authority” substitute “regulator”.