
Changes to legislation: Financial Services Act 2012, Paragraph 8 is up to date with all changes known to be in force on or before 11 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

SCHEDULES

SCHEDULE 12

AMENDMENTS OF PARTS 11 AND 23 OF FSMA 2000

PART 1

PART 11 OF FSMA 2000: INFORMATION GATHERING AND INVESTIGATIONS

- 8 (1) Section 168 (appointment of investigator in specific cases) is amended as follows.
- (2) In subsection (1)—
- (a) omit paragraph (a), and
 - (b) in paragraph (b), for “191” substitute “ 191F ”.
- (3) In subsection (2)—
- (a) in paragraph (a), for “or 397” substitute “ or under Part 7 of the Financial Services Act 2012 ”, and
 - (b) after paragraph (b) insert—
 - “(ba) an authorised person may have contravened section 20 in relation to a credit-related regulated activity;”.
- (4) In subsection (4)—
- (a) in the opening words, for “the Authority” substitute “ an investigating authority ”,
 - (b) in paragraph (c), for “Authority” substitute “ investigating authority ”,
 - (c) after that paragraph insert—
 - “(ca) a recognised investment exchange may have contravened the recognition requirements (within the meaning of Part 18);”.
 - (d) in paragraph (f), for “an authorised or exempt person” substitute “ a person ”,
 - (e) in paragraph (h), for “the Authority” substitute “ a regulator ”,
 - (f) in paragraph (j), omit the words from “or by any” to the end, and
 - (g) for paragraph (k) substitute—
 - “(k) a person may have contravened a qualifying EU provision that is specified, or of a description specified, for the purposes of this subsection by the Treasury by order.”
- (5) In subsection (5), for “Authority” substitute “ investigating authority ”.
- (6) For subsection (6) substitute—
- “(6) Investigating authority” means—
 - (a) in subsections (1) to (3), the FCA, the PRA or the Secretary of State;
 - (b) in subsections (4) and (5), the FCA or the PRA.”

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Commencement Information

- I1** Sch. 12 para. 8 in force at 24.1.2013 for specified purposes by S.I. 2013/113, art. 2(1)(b), **Sch. Pt. 2**
- I2** Sch. 12 para. 8 in force at 1.4.2013 in so far as not already in force by S.I. 2013/423, art. 3, **Sch.**

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

- Act power to apply conferred (temp.) by [2014 c. 21 s. 79\(4\)](#)
- Act power to apply conferred (temp.) by [2014 c. 21 s. 81\(10\)](#)