



Financial Services (Banking Reform) Act 2013

2013 CHAPTER 33

PART 5

REGULATION OF PAYMENT SYSTEMS

[^{F1}Technical Standards

[^{F1}97D. Application of section 104 of this Act and Part 9A of the Financial Services and Markets Act 2000

- (1) Section 104 (consultation in relation to generally applicable requirements) applies to making technical standards as it applies to imposing a generally applicable requirement within the meaning of section 104(1), as if—
 - (a) in subsection (3)(c) the reference to the Payment Systems Regulator’s duties under section 49 were a reference to the Payment Systems Regulator’s duties under regulation 3(2) and (4) of the Payment Card Interchange Fee Regulations 2015 (“the 2015 Regulations”);
 - (b) in subsection (10), the reference to regulated payment systems were a reference to regulated persons within the meaning of regulation 2(1) of the 2015 Regulations.
- (2) The provisions of the Financial Services and Markets Act 2000 listed in subsection (3) apply to technical standards made by the Payment Systems Regulator as they apply to rules made by the FCA subject to the modifications specified in subsection (3).
- (3) The provisions referred to in subsection (2) are—
 - (a) section 137T (general supplementary powers) (ignoring paragraph (b));
 - (b) section 138E (limit on effect of contravening rules) (ignoring subsection (3));
 - (c) section 138F (notification of rules) (ignoring subsection (2));
 - (d) section 138H (verification of rules) (treating the reference in subsection (2) (c) to section 138G(4) of the Act as a reference to section 97B(4)).]

Changes to legislation: There are currently no known outstanding effects for the Financial Services (Banking Reform) Act 2013, Section 97D. (See end of Document for details)

Textual Amendments

- F1** Ss. 97A-97D and cross-heading inserted (26.10.2018) by [The Financial Regulators Powers \(Technical Standards etc.\) \(Amendment etc.\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1115\)](#), regs. 1(2), **10(4)**

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