

2015 No. 732

FINANCIAL SERVICES AND MARKETS

The Financial Services and Markets Act 2000 (Regulated Activities) (Transitional Provisions) Order 2015

<i>Made</i> - - - -	<i>16th March 2015</i>
<i>Laid before Parliament</i>	<i>17th March 2015</i>
<i>Coming into force</i> - -	<i>6th April 2015</i>

The Treasury, in exercise of the powers conferred by section 426(1) of Schedule 2 to, the Financial Services and Markets Act 2000(a), make the following Order.

Citation and commencement

1. This Order may be cited as the Financial Services and Markets Act 2000 (Regulated Activities) (Transitional Provisions) Order 2015 and comes into force on 6th April 2015.

Transitional provisions

2.—(1) A person who immediately before 6th April 2015 had permission under the Act to carry on an activity of the kind specified by article 53 of the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001(b) (advising on investments) in respect of a specified investment of the kind specified by article 82 of that Order (rights under a pension scheme), is to be treated as having that permission varied with effect from 6th April 2015 to include the activity of the kind specified by article 53E of that Order (advising on conversion or transfer of pension benefits).

(2) A Part 4A permission(c) that is treated as having been varied in accordance with paragraph (1) is to be treated as being varied by—

- (a) in the case of a PRA-authorised person(d), the PRA(e); or
- (b) in the case of any other authorised person, the FCA(f).

(3) Paragraph (1) does not affect the ability of the FCA or the PRA to vary or cancel a Part 4A permission under the Act.

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- (a) 2000 c. 8. Section 22 and paragraph 25 of Schedule 2 were amended by sections 7(1) and 8(2) of the Financial Services Act 2012 (c. 21).
 - (b) S.I. 2001/544 amended by S.I. 2003/1476, 2006/1969 and 2015/731. There are other amending instruments, but they are not relevant.
 - (c) A Part 4A permission means a permission given by the appropriate regulator under Part 4A of the Act (as defined in section 55A(5) of the Act).
 - (d) A PRA-authorised person means a person authorised to carry on one or more regulated activity that is designated as a PRA-regulated activity by the Treasury pursuant to section 22A of the Act (as defined in section 2B(5) of the Act).
 - (e) The PRA means the Prudential Regulation Authority (as defined in section 2A(2) of the Act).
 - (f) The FCA means the Financial Conduct Authority (as defined in section 1A(2) of the Act).

Gavin Barwell
Alun Cairns

16th March 2015

Two of the Lords Commissioners of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes transitional arrangements for the new activity of advising on conversion or transfer of pension benefits introduced to the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 (S.I. 2001/544) by the Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) (No. 2) Order 2015 (S.I. 2015/731).

The transitional arrangements provide that certain persons (with the permissions under the Act detailed in regulation 2(1)) – sometimes known as pension transfer specialists – are to be treated as having that permission varied to include permission to carry on the new activity of advising on the conversion or transfer of pension benefits with effect from 6th April 2015.

An impact assessment has not been produced for this Order as no, or no significant, impact on the costs of business or the voluntary sector is foreseen.

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£4.25

ISBN 978-0-11-113366-8



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