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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends Schedule 17 to the Crime and Courts Act 2013 (“the Act”).

Section 45 of, and Schedule 17 to, the Act make provision for deferred prosecution agreements (“DPA”). A DPA is an agreement between a prosecutor and an organisation facing prosecution for an alleged economic or financial offence specified in Schedule 17. The Financial Services Act 2012 repealed the offences of making misleading statements and practices under section 397 of the Financial Services and Markets Act 2000, and replaced it with offences concerning misleading statements and impressions under sections 89, 90 and 91 of the Financial Services Act 2012.

This Order removes the offences under section 397 of the Financial Services and Markets Act 2000 from Part 2 of Schedule 17 to the Act ( offences in relation to which a DPA may be entered into), and includes the offences under sections 89, 90 and 91 of the Financial Services Act 2012 instead.

No impact assessment has been produced for this instrument as no impact on the private or voluntary sectors is foreseen.