

---

DRAFT STATUTORY INSTRUMENTS

---

**2019 No.**

**The Financial Services and Markets Act 2000  
(Amendment) (EU Exit) Regulations 2019**

**PART 2**

**Amendments to the Act**

**CHAPTER 13**

**Part 25 of the Act: injunctions and restitution**

**Introduction**

**69.** Part 25 of the Act (injunctions and restitution) is amended as follows.

**Section 380 (injunctions)**

**70.**—(1) Section 380(1) (injunctions) is amended as follows.

(2) In subsection (6)(a)(i)(2), for “qualifying EU provision” substitute “qualifying provision”.

(3) In subsection (9)(3) for “qualifying EU provision” in both places substitute “qualifying provision”.

**Section 382 (restitution orders)**

**71.**—(1) Section 382(4) (restitution orders) is amended as follows.

(2) In subsection (9)(a)(i)(5), for “qualifying EU provision” substitute “qualifying provision”.

(3) In subsection (12)(6), for “qualifying EU provision” in both places substitute “qualifying provision”.

- 
- (1) Section 380 was amended by section 37(1) of, and paragraph 1 of Part 1 and paragraphs 19(1), (2), (3)(a), (3)(b), (3)(c), (4) and (5) of Part 5 of Schedule 9 to, the Financial Services Act 2012, section 141 of, and paragraphs 3(1) and (2) of Schedule 10 to, the Financial Services (Banking Reform) Act 2013, [S.I. 2013/1773](#), [2015/1755](#) and [2016/225](#).
- (2) Subsection (6) was amended by section 37(1) of, and paragraph 1 of Part 1 and paragraphs 19(1), (3)(a), (3)(b), (3)(c) of Part 5 of Schedule 9 to, the Financial Services Act 2012, section 141 of, and paragraphs 3(1) and (2) of Schedule 10 to, the Financial Services (Banking Reform) Act 2013, [S.I. 2013/1773](#), [2015/1755](#) and [2016/225](#).
- (3) Subsection (9) was inserted by section 37(1) of, and paragraph 1 of Part 1 and paragraphs 19(1) and (5) of Part 5 of Schedule 9 to, the Financial Services Act 2012.
- (4) Section 382 was amended by section 37(1) of, and paragraph 1 of Part 1 and paragraphs 21(1), (2), (3), (4), (5)(a), (5)(b), (5)(c), (6), (7) of Part 5 of Schedule 9 to, the Financial Services Act 2012, section 141 of, and paragraphs 3(1), (3) of Schedule 10 to, the Financial Services (Banking Reform) Act 2013 and [S.I. 2013/1773](#).
- (5) Subsection (9)(a)(i) was amended by [S.I. 2013/1773](#).
- (6) Subsection (12) was inserted by section 37(1), and paragraph 1 of Part 1 and paragraphs 21(1) and (7) of Part 5 of Schedule 9 to, the Financial Services Act 2012.

**Section 384 (power of FCA or PRA to require restitution)**

72.—(1) Section 384(7) (power of FCA or PRA to require restitution) is amended as follows.

(2) In subsection (7)(a)(8), for “qualifying EU provision” substitute “qualifying provision”.

(3) In subsection (10)(9) for “qualifying EU provision” in both places substitute “qualifying provision”.

- 
- (7) Section 384 was amended by section 37(1) of, and paragraph 1 of Part 1 and paragraphs 23(1), (2)(a), (2)(b), (4)(a), (4)(b), (5), (6)(a), (6)(b), (7), (8), (9) and (10) of Part 5 of Schedule 9 to, the Financial Services Act 2012, section 141 of, and paragraphs 3(1) and (4) of Schedule 10 to, the Financial Services (Banking Reform) Act 2013, [S.I. 2007/126](#) and [2016/680](#).
- (8) Subsection (7) was amended by section 37(1) of, and paragraph 1 of Part 1 and paragraphs 23(1), (6)(a) and (6)(b) of Part 5 of Schedule 9 to, the Financial Services Act 2012, section 141 of, and paragraphs 3(1) and (4) of Schedule 10 to, the Financial Services (Banking Reform) Act 2013 and [S.I. 2007/126](#).
- (9) Subsection (10) was inserted by section 37(1) of, and paragraph 1 of Part 1 and paragraphs 23(1) and (8) of Part 5 of Schedule 9 to, of the Financial Services Act 2012.