
DRAFT STATUTORY INSTRUMENTS

2019 No.

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

PART 3

**Amendments to the Financial Services and Markets
Act 2000 (Regulated Activities) Order 2001**

Article 84 (futures)

157.—(1) Article 84 (futures) is amended as follows.

(2) In paragraph (1A)(d), (1B)(e) and (1C)(c)(1), for “Section C of Annex I to the markets in financial instruments directive” substitute “Part 1 of Schedule 2”.

(3) In paragraph (1CA)(2)—

(a) for “Section C of Annex I to the markets in financial instruments directive” substitute “Part 1 of Schedule 2”;

(b) for “the texts of which are set out in Parts 1 and 2 of Schedule 2” substitute “the text of which is set out in Part 2 of Schedule 2”.

(4) In paragraph (1D)(3), for sub-paragraphs (a) to (d) substitute—

“(a) an investment firm or qualifying credit institution is providing or performing investment services and activities on a professional basis,

(b) a management company which has a Part 4A permission to do so is providing the investment service specified in paragraph 4 or 5 of Part 3 of Schedule 2 or the ancillary service specified in paragraph 1 of Part 3A of that Schedule,

(c) a market operator is providing the investment service specified in paragraph 8 or 9 of Part 3 of that Schedule, or

(d) a full-scope UK AIFM which has a Part 4A permission to do so is providing the investment service specified in paragraph 1, 4 or 5 of Part 3 of that Schedule or the ancillary service specified in paragraph 1 of Part 3A of that Schedule.”.

(5) Omit paragraph (1E)(4).

(1) Paragraph (1A), (1B) and (1C) were inserted by [S.I. 2006/3384](#) and amended by [S.I. 2017/488](#).

(2) Paragraph (1CA) was inserted by [S.I. 2017/488](#).

(3) Paragraph (1D) was inserted by [S.I. 2006/3384](#) and was amended by [S.I. 2011/1613](#) and [S.I. 2017/488](#).

(4) Paragraph (1E) was inserted by [S.I. 2006/3384](#) and was amended by [S.I. 2017/488](#).