
DRAFT STATUTORY INSTRUMENTS

2019 No.

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

PART 2

Amendments to the Act

CHAPTER 6

Part 9A of the Act: rules and guidance

Section 137J (rules about recovery plans: duty to consult)

35. In section 137J(1) (rules about recovery plans: duty to consult), in subsection (6)(2)—

(a) for the definition of “institution” substitute—

““institution” means—

(a) a credit institution, other than an entity mentioned in Article 2.5 of the capital requirements directive; or

(b) an investment firm as defined in Article 4.1(2) of the capital requirements regulation that is subject to the initial capital requirement specified in rules made by a regulator for the purpose of implementing Article 28(2) of the capital requirements directive;”;

(b) in the definition of “institution authorised in the UK”, for “an institution which is an authorised person and” substitute “an authorised person who is”.

(1) Part 9A of the Financial Services and Markets Act 2000 (consisting of sections 137A to 141A) was inserted by section 24(1) of the Financial Services Act 2012.
(2) Subsection (6) was substituted by [S.I. 2014/3348](#).