

SCHEDULE

Application and modification of primary legislation

Modification to section 55L (imposition of requirements by FCA)

2. Section 55L (imposition of requirements by FCA)(1) applies as if—
 - (a) subsection (1) was omitted;
 - (b) for subsection (2) there was substituted—

“(2) The FCA may exercise its power under subsection (3) in relation to a registered person if it appears to the FCA that—

 - (a) it is desirable to exercise the power in order to advance one or more of the FCA’s operational objectives; or
 - (b) it is desirable to exercise the power in order to advance the protection of persons who receive, have received or may receive invitations or inducements to engage in investment activity in relation to qualifying cryptoassets.”;
 - (c) in subsection (5), for “an authorised person with a Part 4A permission” there was substituted “a registered person”;
 - (d) for subsection (6) there was substituted—

“(6) The FCA may refuse an application under subsection (5) if—

 - (a) it appears to it that it is desirable to do so in order to advance any of its operational objectives; or
 - (b) it appears to it that it is desirable to do so in order to advance the protection of persons who receive, have received or may receive invitations or inducements to engage in investment activity in relation to qualifying cryptoassets.”;
 - (e) for subsection (7) there was substituted—

“(7) “Engage in investment activity” has the same meaning as in section 21.”.

(1) Section 55P was inserted by section 11(2) of the Financial Services Act 2012.