



Financial Services and Markets Act 2000

2000 CHAPTER 8

PART VI

OFFICIAL LISTING

Miscellaneous

[^{F1}97A. Reporting of infringements

- (1) This section applies to a person—
 - (a) who is the employer of any employees, and
 - (b) who—
 - (i) provides regulated financial services,
 - (ii) carries on regulated activities in reliance on the exemption in section 327, or
 - (iii) is a recognised investment exchange, a recognised clearing house, a recognised CSD ^{F2}... or a third country central counterparty.
- (2) The person must have in place appropriate internal procedures for the person's employees to report, through an independent channel, contraventions and potential contraventions of—
 - (a) the prospectus regulation, ^{F3}...
 - [^{F4}(b) any EU regulation, originally made under the prospectus regulation, which is retained EU law, or
 - (c) any subordinate legislation (within the meaning of the Interpretation Act 1978) made under the prospectus regulation on or after IP completion day.]
- (3) In this section—

“employer” and “employee” have the same meaning given in section 230(1) to (5) of the Employment Rights Act 1996;

“regulated financial services” has the meaning given by section 1H.]

Status: Point in time view as at 31/12/2020. This version of this provision has been superseded.

Changes to legislation: Financial Services and Markets Act 2000, Section 97A is up to date with all changes known to be in force on or before 20 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F1** S. 97A inserted (21.7.2019) by [The Financial Services and Markets Act 2000 \(Prospectus\) Regulations 2019 \(S.I. 2019/1043\)](#), regs. 1(1), **28** (with reg. 40)
- F2** Words in s. 97A(1)(b)(iii) omitted (31.12.2020) by virtue of [The Prospectus \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1234\)](#), regs. 1(4), **7(2)** (with savings in S.I. 2019/680, reg. 11 (as amended by S.I. 2019/1234, reg. 29(2))); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Word in s. 97A(2)(a) omitted (31.12.2020) by virtue of [The Prospectus \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1234\)](#), regs. 1(4), **7(3)(a)** (with savings in S.I. 2019/680, reg. 11 (as amended by S.I. 2019/1234, reg. 29(2))); 2020 c. 1, Sch. 5 para. 1(1)
- F4** S. 97A(2)(b)(c) substituted for s. 97A(2)(b) (31.12.2020) by [The Prospectus \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1234\)](#), regs. 1(4), **7(3)(b)** (as amended by S.I. 2020/1301, regs. 1, 3, **Sch. para. 48(a)**) (with savings in S.I. 2019/680, **reg. 11** (as amended by S.I. 2019/1234, **reg. 29(2)**)); 2020 c. 1, **Sch. 5 para. 1(1)**

Status:

Point in time view as at 31/12/2020. This version of this provision has been superseded.

Changes to legislation:

Financial Services and Markets Act 2000, Section 97A is up to date with all changes known to be in force on or before 20 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.