



Legal Aid, Sentencing and Punishment of Offenders Act 2012

2012 CHAPTER 10

PART 2

LITIGATION FUNDING AND COSTS

Referral fees

58 Regulation by [^{F1}FCA]

- (1) The Treasury may make regulations to enable the [^{F2}Financial Conduct Authority], where it is the relevant regulator, to take action for monitoring and enforcing compliance with the restrictions imposed on regulated persons by section 56.
- (2) The regulations may apply, or make provision corresponding to, any of the provisions of the Financial Services and Markets Act 2000 with or without modification.
- (3) Those provisions include in particular—
 - (a) provisions as to investigations, including powers of entry and search and criminal offences;
 - (b) provisions for the grant of an injunction in relation to a contravention or anticipated contravention;
 - (c) provisions giving Ministers or the [^{F2}Financial Conduct Authority] powers to make subordinate legislation;
 - (d) provisions for the [^{F2}Financial Conduct Authority] to charge fees.
- (4) The regulations may make provision corresponding to the provision that may be made by virtue of section 57(7) to (9) (but as if the reference to the Lord Chancellor were a reference to the Treasury).
- (5) The power to make regulations under this section is subject to section 57(5) and (6).

Status: Point in time view as at 13/04/2015.

Changes to legislation: *Legal Aid, Sentencing and Punishment of Offenders Act 2012, Section 58 is up to date with all changes known to be in force on or before 31 August 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** Word in s. 58 heading substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#), ss. 114(1), 122(3), [Sch. 18 para. 138\(3\)\(b\)](#) (with [Sch. 20](#)); S.I. 2013/423, [art. 2](#), Sch.
- F2** Words in s. 58(1)(3)(c)(d) substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#), ss. 114(1), 122(3), [Sch. 18 para. 138\(3\)\(a\)](#) (with [Sch. 20](#)); S.I. 2013/423, [art. 2](#), Sch.

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