



# Financial Services Act 2012

## 2012 CHAPTER 21

### PART 7

#### OFFENCES RELATING TO FINANCIAL SERVICES

#### 92 Penalties

- (1) A person guilty of an offence under this Part is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding the applicable maximum term or a fine not exceeding the statutory maximum, or both;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding [<sup>F1</sup>10 years] or a fine, or both.
- (2) For the purpose of subsection (1)(a) “the applicable maximum term” is—
- (a) in England and Wales, [<sup>F2</sup>the general limit in a magistrates’ court] (or 6 months, if the offence was committed before [<sup>F3</sup>2 May 2022]);
  - (b) in Scotland, 12 months;
  - (c) in Northern Ireland, 6 months.

#### Textual Amendments

- F1** Words in s. 92(1)(b) substituted (1.11.2021) by [Financial Services Act 2021 \(c. 22\)](#), **ss. 31(2)**, 49(5) (with s. 31(3)(4)); [S.I. 2021/1173](#), reg. 2
- F2** Words in s. 92(2)(a) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates’ Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), 2(1), **Sch. Pt. 1**
- F3** Words in s. 92(2)(a) substituted (28.4.2022) by [The Criminal Justice Act 2003 \(Commencement No. 33\) and Sentencing Act 2020 \(Commencement No. 2\) Regulations 2022 \(S.I. 2022/500\)](#), regs. 1(2), 5(1), **Sch. Pt. 1**

#### Commencement Information

- I1** S. 92 in force at 1.4.2013 by [S.I. 2013/423](#), art. 3, **Sch.**

**Status:**

Point in time view as at 07/02/2023.

**Changes to legislation:**

Financial Services Act 2012, Section 92 is up to date with all changes known to be in force on or before 01 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.