
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which come into force on 9th January 1996, make further amendments to the Personal Equity Plan Regulations 1989 (“the principal Regulations”) in particular in relation to the qualifications for plan managers. They provide that a European institution within the meaning of the Banking Co-ordination (Second Council Directive) Regulations 1992, which may carry on home-regulated investment business in the United Kingdom in accordance with those Regulations, or a person who is an authorised person for the purposes of the Financial Services Act 1986 by virtue of section 31 of that Act, must appoint a tax representative for the purpose of discharging the duties of a plan manager under the principal Regulations, or make other arrangements with the Commissioners of Inland Revenue for the discharge of those duties, if it does not have a branch or business establishment in the United Kingdom through which it intends to carry out the functions of a plan manager. The amendments also provide for the termination of the appointment of a tax representative, set out the powers and liabilities of such representatives and make consequential amendments to the principal Regulations.

Regulation 1 provides for citation and commencement and regulation 2 contains definitions.

Regulation 3 inserts new definitions in the principal Regulations.

Regulation 4 makes consequential amendments to regulation 5 of the principal Regulations. Regulation 5 contains amendments to regulation 11 of the principal Regulations providing for the qualifications of plan managers.

Regulation 6 inserts a new regulation 11A in the principal Regulations providing for the appointment of tax representatives and regulations 7, 8 and 9 make consequential amendments to the principal Regulations.