
STATUTORY INSTRUMENTS

2001 No. 3592

The Financial Services and Markets Act 2000 (Transitional Provisions) (Partly Completed Procedures) Order 2001

PART I

GENERAL

Citation and commencement

1.—(1) This Order may be cited as the Financial Services and Markets Act 2000 (Transitional Provisions) (Partly Completed Procedures) Order 2001.

(2) This Order comes into force on 1st December 2001.

Definitions

2.—(1) In this Order—

“the Act” means the Financial Services and Markets Act 2000;

“the Authorised Persons Order” means the Financial Services and Markets Act 2000 (Transitional Provisions) (Authorised Persons etc.) Order 2001(1);

“commencement” means the beginning of 1st December 2001;

“decided”, in relation to an application, has the meaning given by paragraph (4);

“recognised professional body” has the same meaning as in the Financial Services Act;

“recognised self-regulating organisation” has the same meaning as in the Financial Services Act, except that it includes a recognised self-regulating organisation for friendly societies within the meaning of that Act;

“the Regulated Activities Order” means the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001(2).

(2) In this Order—

“the Banking Act” means the Banking Act 1987(3);

“the Building Societies Act” means the Building Societies Act 1986(4);

“the Financial Services Act” means the Financial Services Act 1986(5);

“the Friendly Societies Act” means the Friendly Societies Act 1992(6);

“the Insurance Companies Act” means the Insurance Companies Act 1982(7);

(1) S.I.2001/2636.

(2) S.I. 2001/544.

(3) 1987 c. 22.

(4) 1986 c. 53.

(5) 1986 c. 60.

(6) 1992 c. 40.

(7) 1982 c. 50.

“the 2BCD Regulations” means the Banking Coordination (Second Council Directive) Regulations 1992⁽⁸⁾;

“the ISD Regulations” means the Investment Services Regulations 1995⁽⁹⁾;

“the 3ID Regulations” means the Insurance Companies (Third Insurance Directives) Regulations 1994⁽¹⁰⁾.

(3) Any reference in this Order to a section or Schedule is, unless the context otherwise requires, a reference to that section of or Schedule to the Act.

(4) For the purposes of this Order an application is decided when it has been determined and there is no possibility (or no further possibility) of the determination being reversed or varied on a reference to a tribunal or an appeal.

(5) Any reference in this Order to a person—

(a) having a Part IV permission or a permission under Schedule 3 or 4;

(b) being subject to a requirement imposed under section 43 or 196;

(c) satisfying or not satisfying the conditions in paragraph 13 or 14 of Schedule 3;

includes a reference to a person who has such a permission, is subject to such a requirement, or is or is not treated as satisfying those conditions by virtue of the Authorised Persons Order.

⁽⁸⁾ S.I. 1992/3218 amended by S.I. 1993/3225, S.I. 1995/1217, S.I. 1995/1442, S.I. 1996/1669, S.I. 1999/2094 and S.I. 2000/2952.

⁽⁹⁾ S.I. 1995/3275 amended by the Bank of England Act 1998 (c. 11) and by S.I. 1996/1669 and S.I. 2000/2952.

⁽¹⁰⁾ S.I. 1994/1696.