
STATUTORY INSTRUMENTS

2001 No. 3648

The Financial Services and Markets Act 2000
(Confidential Information) (Bank of England)
(Consequential Provisions) Order 2001

PART IV

TRANSITIONAL PROVISIONS

Information supplied before commencement by an overseas regulatory authority

6.—(1) This article applies to information which fell within section 86(1) of the Banking Act 1987⁽¹⁾ and immediately before commencement was subject to restrictions on disclosure by virtue of section 82 of that Act, as those sections had effect by virtue of paragraph 57 of Schedule 5 to the 1998 Act (“transitional overseas regulatory information”).

(2) Subject to paragraphs (3) and (4), regulation 15 of the Disclosure Regulations (disclosure of transitional information) has effect in relation to transitional overseas regulatory information which the Bank holds after commencement as if the persons to be treated as a primary recipient by virtue of paragraph (3)(a) of that regulation included the Bank in relation to such information.

(3) Transitional overseas regulatory information which fell within section 86(1)(a) of the Banking Act 1987 and was supplied by an EEA regulatory authority is to be treated for the purposes of the Disclosure Regulations as [F¹specified confidential EU law information] (within the meaning of those Regulations).

(4) Transitional overseas regulatory information which fell within section 86(1)(b) of the Banking Act 1987 is to be treated for the purposes of the Disclosure Regulations as [F²specified confidential EU law information] which is obtained in the course of an on-the-spot verification of the kind referred to in [F³Articles 52 and 159 of the capital requirements directive].

(5) For the purposes of this article, references in Part III of the Disclosure Regulations (disclosure of [F⁴specified confidential EU law information]) to the Authority are to be treated as including the Bank.

- | |
|--|
| <p>F1 Words in art. 6(3) substituted (31.12.2020) by The Public Record, Disclosure of Information and Co-operation (Financial Services) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/681), regs. 1(3), 5(5)(a); 2020 c. 1, Sch. 5 para. 1(1)</p> <p>F2 Words in art. 6(4) substituted (31.12.2020) by The Public Record, Disclosure of Information and Co-operation (Financial Services) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/681), regs. 1(3), 5(5)(b); 2020 c. 1, Sch. 5 para. 1(1)</p> <p>F3 Words in art. 6(4) substituted (1.1.2014) by The Capital Requirements Regulations 2013 (S.I. 2013/3115), reg. 1(2), Sch. 2 para. 58(4)</p> |
|--|

(1) 1987 c. 22. The Banking Act 1987 was repealed by article 3 of the Financial Services and Markets Act 2000 (Consequential Amendments and Repeals) Order 2001, S.I.2001/3649.

Changes to legislation: *There are currently no known outstanding effects for the The Financial Services and Markets Act 2000 (Confidential Information) (Bank of England) (Consequential Provisions) Order 2001, Section 6. (See end of Document for details)*

F4 Words in art. 6(5) substituted (31.12.2020) by [The Public Record, Disclosure of Information and Co-operation \(Financial Services\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/681\)](#), regs. 1(3), **5(5)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I1 [Art. 6](#) in force at 1.12.2001, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Financial Services and Markets Act 2000 (Confidential Information) (Bank of England) (Consequential Provisions) Order 2001, Section 6.