

## STATUTORY INSTRUMENTS

# 2001 No. 544

## The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001

### PART II

#### SPECIFIED ACTIVITIES

#### [<sup>F1</sup>CHAPTER 5A

#### BIDDING IN EMISSIONS AUCTIONS

##### Textual Amendments

- F1** Pt. 2 Ch. 5A inserted (20.7.2012) by [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) Order 2012 \(S.I. 2012/1906\)](#), arts. 1, **2(3)**

#### *The activity*

##### **Bidding in emissions auctions**

**24A.**—(1) The reception, transmission or submission of a bid at an auction of an investment of the kind specified by article 82A conducted—

- (a) on a recognised auction platform [<sup>F2</sup>in accordance with the UK auctioning regulations], or
- (b) on [<sup>F3</sup>an] auction platform which has been appointed under the emission allowance auctioning regulation [<sup>F4</sup>in accordance with that regulation],

is a specified kind of activity.

(2) An activity which falls within paragraph (1) (or would do so but for the exclusions in article 24B) does not form part of any other activity specified under any other article of this Order.

(3) In this article, “recognised auction platform” has the meaning given in regulation 1(3) of the Recognised Auction Platform Regulations 2011.

##### Textual Amendments

- F2** Words in art. 24A(1)(a) inserted (22.4.2021) by [The Recognised Auction Platforms \(Amendment and Miscellaneous Provisions\) Regulations 2021 \(S.I. 2021/494\)](#), regs. 1(2), **3(3)(a)**
- F3** Word in art. 24A(1)(b) substituted (22.4.2021) by [The Recognised Auction Platforms \(Amendment and Miscellaneous Provisions\) Regulations 2021 \(S.I. 2021/494\)](#), regs. 1(2), **3(3)(b)(i)**
- F4** Words in art. 24A(1)(b) inserted (22.4.2021) by [The Recognised Auction Platforms \(Amendment and Miscellaneous Provisions\) Regulations 2021 \(S.I. 2021/494\)](#), regs. 1(2), **3(3)(b)(ii)**

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*Changes to legislation: The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001, Chapter 5A 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. (See end of Document for details) View outstanding changes*

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## Exclusions

### Miscellaneous exclusions

**24B.**—(1) There is excluded from article 24A any activity carried on by—

- (a) an operator or an aircraft operator having an operator holding account, in either case bidding on its own account, including any parent undertaking, subsidiary undertaking or [<sup>F5</sup>affiliated undertaking] forming part of the same group of undertakings as the operator or the aircraft operator;
- (b) business groupings of persons listed in sub-paragraph (a) bidding on their own account or acting as an agent on behalf of their members; or
- (c) public bodies or state-owned entities of the Member States [<sup>F6</sup>or of the United Kingdom] that control any of the persons listed in sub-paragraph (a).

<sup>F7</sup>(2) .....

(3) In this article, the expressions “parent undertaking”, “subsidiary undertaking”, [<sup>F8</sup>“affiliated undertaking”], “business grouping”, “public bodies” and “state-owned entities” have the same meaning as in the [<sup>F9</sup>UK auctioning regulations].]

#### Textual Amendments

- F5** Words in art. 24B(1)(a) substituted (22.4.2021) by [The Recognised Auction Platforms \(Amendment and Miscellaneous Provisions\) Regulations 2021 \(S.I. 2021/494\)](#), regs. 1(2), **3(4)(a)(i)**
- F6** Words in art. 24B(1)(c) inserted (22.4.2021) by [The Recognised Auction Platforms \(Amendment and Miscellaneous Provisions\) Regulations 2021 \(S.I. 2021/494\)](#), regs. 1(2), **3(4)(a)(ii)**
- F7** Art. 24B(2) omitted (22.4.2021) by virtue of [The Recognised Auction Platforms \(Amendment and Miscellaneous Provisions\) Regulations 2021 \(S.I. 2021/494\)](#), regs. 1(2), **3(4)(b)**
- F8** Words in art. 24B(3) substituted (22.4.2021) by [The Recognised Auction Platforms \(Amendment and Miscellaneous Provisions\) Regulations 2021 \(S.I. 2021/494\)](#), regs. 1(2), **3(4)(c)(i)**
- F9** Words in art. 24B(3) substituted (22.4.2021) by [The Recognised Auction Platforms \(Amendment and Miscellaneous Provisions\) Regulations 2021 \(S.I. 2021/494\)](#), regs. 1(2), **3(4)(c)(ii)**

**Changes to legislation:**

The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001, Chapter 5A 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 3 Pt. 1 para. 2(c) words substituted by [S.I. 2023/548 art. 2\(5\)](#)