
STATUTORY INSTRUMENTS

2009 No. 534

The Financial Services and Markets Act 2000 (Controllers) Regulations 2009

Citation and commencement

1. These Regulations may be cited as the Financial Services and Markets Act 2000 (Controllers) Regulations 2009 and come into force on 21st March 2009.

Commencement Information

I1 Reg. 1 in force at 21.3.2009, see [reg. 1](#)

Interpretation

2. In these Regulations—

“the Act” means the Financial Services and Markets Act 2000(1);

“the Authority” means the Financial Services Authority.

Commencement Information

I2 Reg. 2 in force at 21.3.2009, see [reg. 1](#)

Amendments to the Financial Services and Markets Act 2000

3. Sections 178 to 191G as set out in Schedule 1 have effect in place of the existing sections 178 to 191 in Part 12 of the Act (control over UK authorised persons).

4. In section 192 of the Act (power to change definitions of control etc)—

(a) in paragraph (a) for “190” substitute “191D”;

(b) in paragraph (b)—

(i) for “179” substitute “181”; and

(ii) for “having” substitute “acquiring”;

(c) in paragraph (c) for “180” substitute “182”; and

(d) in paragraph (d)—

(i) for “181” substitute “183”; and

(ii) for “reducing his” substitute “reducing or ceasing to have”.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Financial Services and Markets Act 2000 (Controllers) Regulations 2009*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

5. Chapter 1A as set out in Schedule 2 has effect in place of the existing Chapter 1A of Part 18 of the Act (control over recognised investment exchanges)(2).

6. In section 395(13) of the Act (the Authority’s procedures)(3)—

- (a) after paragraph (bb) insert “(bc) 191B(1);” and
- (b) after paragraph (f) insert “(fa) 301J(1);”.

7. Sections 422 and 422A as set out in Schedule 3 have effect in place of the existing section 422 of the Act (controller)(4).

Commencement Information

- I3** Reg. 3 in force at 21.3.2009, see [reg. 1](#)
- I4** Reg. 4 in force at 21.3.2009, see [reg. 1](#)
- I5** Reg. 5 in force at 21.3.2009, see [reg. 1](#)
- I6** Reg. 6 in force at 21.3.2009, see [reg. 1](#)
- I7** Reg. 7 in force at 21.3.2009, see [reg. 1](#)

Transitional arrangements for notices

8. Part 12, Chapter 1A of Part 18 and section 422 of the Act as they stood immediately before these Regulations came into force apply in respect of any notification submitted to the Authority under those provisions before the date these Regulations came into force.

Commencement Information

- I8** Reg. 8 in force at 21.3.2009, see [reg. 1](#)

Repeal and revocation

9.—(1) Paragraph 165 of Schedule 27 to the Civil Partnership Act 2004(5) is repealed.

(2) The following provisions of the Financial Services and Markets Act 2000 (Markets in Financial Instruments) Regulations 2007(6) are revoked—

- (a) paragraph 10 of Schedule 2; and
- (b) paragraph 20 of Schedule 5.

Commencement Information

- I9** Reg. 9 in force at 21.3.2009, see [reg. 1](#)

(2) Chapter 1A was inserted by regulation 3(2) of and paragraph 10 of Schedule 2 to the Financial Services and Markets Act 2000 (Markets in Financial Instruments) Regulations 2007 ([S.I. 2007/126](#)).

(3) There are amendments to section 395(13); relevant amendments for the purposes of these Regulations are that paragraph (ba) was inserted by the Financial Services and Markets Act 2000 (Market Abuse) Regulations 2005 ([S.I. 2005/381](#)) and paragraph (bb) was inserted by the Prospectus Regulations 2005 ([S.I. 2005/1433](#)).

(4) Section 422 has been amended by the Financial Services and Markets Act 2000 (Markets in Financial Instruments) Regulations 2007 ([S.I. 2007/126](#)) (see regulation 3(5) and paragraphs 1 and 20 of Schedule 5) and the [Civil Partnership Act 2004 \(c. 33\)](#) (see section 261(1) and Schedule 27 paragraph 165).

(5) [2004 c.33](#). Paragraph 165 of Schedule 27 amends section 422 of the Act.

(6) [S.I. 2007/126](#). Paragraph 10 of Schedule 2 inserts Chapter 1A of Part 18 of the Act and paragraph 20 of Schedule 5 amends section 422 of the Act.

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9th March 2009

Dave Watts
Tony Cunningham
Two of the Lords Commissioners of Her
Majesty's Treasury

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Changes and effects yet to be applied to :

- Regulations power to modify conferred by [2023 c. 29 s. 3 Sch. 1 Pt. 2](#)
- Regulations revoked by [2023 c. 29 Sch. 1 Pt. 2](#)