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STATUTORY INSTRUMENTS

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**2013 No. 161**

The Financial Services Act 2012 (Transitional Provisions)  
(Rules and Miscellaneous Provisions) Order 2013

PART 4

Transitional provisions: FSMA 2000

**Applications for a modification or waiver of rules**

- 10.**—(1) Paragraph (2) applies if, before the commencement date, the Authority—
- (a) received an application under section 148(2) of FSMA 2000; and
  - (b) had not determined the application.
- (2) The application is to be treated as if it had been made under section 138A(1) of FSMA 2000 to the relevant regulator in respect of the post-commencement rules.
- (3) Paragraph (4) applies if—
- (a) before the commencement date, the Authority received an application under section 294(1) of FSMA 2000 in respect of a recognised clearing house; and
  - (b) had not determined the application.
- (4) The application is to be treated as if it had been made to the Bank of England in relation to the recognised clearing house in respect of the post-commencement rules.