

*Status: Point in time view as at 31/12/2020.*

*Changes to legislation: The Alternative Investment Fund Managers Regulations 2013, Introductory Text is up to date with all changes known to be in force on or before 25 June 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)*

## STATUTORY INSTRUMENTS

# 2013 No. 1773

## FINANCIAL SERVICES AND MARKETS

### The Alternative Investment Fund Managers Regulations 2013

Made - - - - 16th July 2013

Coming into force - - 22nd July 2013

The Treasury are a government department designated <sup>M1</sup> for the purposes of section 2(2) of the European Communities Act 1972 <sup>M2</sup> in relation to financial services.

A draft of these Regulations has been laid before and approved by a resolution of each House of Parliament in accordance with paragraphs 2 and 2A(3)(a) of Schedule 2 to the European Communities Act 1972 <sup>M3</sup>, section 429(2) of the Financial Services and Markets Act 2000 <sup>M4</sup> and sections 784(3) and 1290 of the Companies Act 2006 <sup>M5</sup>.

The Treasury make these Regulations in exercise of the powers conferred on them under section 2(2) of the European Communities Act 1972 <sup>M6</sup>, and (in relation to Part 2 of Schedule 2 to these Regulations) sections 183, 188, 213(10), 214(5), 224(4), 262, 349 and 428(3) of, and paragraphs 13(1)(b), 14(1)(b), 17(b) and 22 of Schedule 3 to, the Financial Services and Markets Act 2000 <sup>M7</sup> and sections 784 and 785 of the Companies Act 2006 <sup>M8</sup>.

#### Marginal Citations

**M1** S.I. 2012/1759.

**M2** 1972 c. 68. Section 2(2) was amended by section 27(1)(a) of the [Legislative and Regulatory Reform Act 2006 \(c. 51\)](#) and the [European Union \(Amendment\) Act 2008 \(c.7\)](#), **Schedule**, Part 1. By virtue of the amendment of section 1(2) by section 1 of the [European Economic Area Act 1993 \(c.51\)](#) regulations may be made under section 2(2) of the European Communities Act to implement obligations of the United Kingdom created or arising by or under the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 (Cm 2073) and the Protocol adjusting the Agreement signed at Brussels on 17th March 1993 (Cm 2183).

**M3** [Paragraph 2](#) was amended by section 27 of the [Legislative and Regulatory Reform Act 2006 \(c. 51\)](#) and paragraph 2A was inserted by section 29 of that Act.

**M4** 2000 c. 8. Section 429(2) was amended by paragraph 12 of Schedule 15 to the [Companies Act 2006 \(c. 46\)](#), [section 178](#) of the [Banking Act 2009 \(c. 1\)](#) and paragraph 33 of Schedule 2 to the [Financial Services Act 2010 \(c. 28\)](#).

**M5** 2006 c. 46.

**M6** [Section 14A](#) of the [Interpretation Act 1978 \(c. 30\)](#) (inserted by section 59 of the [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#)) provides that, where an Act provides a power to make

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subordinate legislation, that subordinate legislation may include a requirement to review the effectiveness of the legislation.

- M7** [Section 417\(1\)](#) provides that “prescribed” means prescribed in regulations made by the Treasury. Sections 183 and 188 were substituted by [S.I. 2009/534](#) and section 188 was amended by section 26(2) of the Financial Services Act 2012. Section 213(10) was substituted by [S.I. 2011/1613](#). Section 262 was amended by paragraph 9 of Schedule 18 to the 2012 Act and by [S.I. 2001/1265](#). Section 349 was amended by paragraph 19 of Schedule 12 to the 2012 Act and by other provisions not relevant here. Paragraph 13(1)(b) of Schedule 3 was amended by [S.I. 2007/126](#). Paragraph 14(1)(b) of Schedule 3 was amended by [S.I. 2003/1473](#) and 2003/2066. Paragraph 22 of Schedule 3 was amended by paragraph 14 of Schedule 4 to the 2012 Act.
- M8** [Section 785](#) was amended by section 112 of the [Financial Services Act 2012 \(c. 21\)](#).

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