
STATUTORY INSTRUMENTS

2013 No. 440

The Financial Services Act 2012 (Transitional Provisions) (Permission and Approval) Order 2013

PART 5

CHAPTER 1

EEA Passport rights (Schedule 3)

UK firm seeking to establish a branch

19.—(1) Paragraphs (2) to (4) apply if—

- (a) before the commencement date, the Authority received a notice of intention within the meaning of paragraph 19(2)(1) of Schedule 3 (establishment); and
- (b) the notice would have been sent to the PRA as the appropriate UK regulator (within the meaning of paragraph 18A(2) of that Schedule) had the notice been sent on the commencement date.

(2) The notice of intention is to be treated as if it had been received by the PRA.

(3) Any consent notice given by the Authority before the commencement date to a host state regulator for the purposes of paragraph 19(4)(a) of Schedule 3 is to be treated as if it had been given by the PRA.

(4) Any notification of the applicable provisions (as mentioned in paragraph 19(5)(b)(i) of Schedule 3) sent by a home state regulator to the Authority before the commencement date is to be treated as if it had been sent to the PRA.

(1) Paragraph 19 was amended by [S.I.s 2003/1473](#) and [2066](#), [2004/3379](#), [2006/3221](#), [2007/126](#) and [3253](#), [2011/1613](#) and [2012/1906](#) and is further amended by the 2012 Act, Schedule 4, Part 1, paragraph 10.

(2) Paragraph 18A is inserted by the 2012 Act, Schedule 4, Part 1, paragraph 9.