
STATUTORY INSTRUMENTS

2013 No. 642

The Financial Services Act 2012 (Consequential Amendments and Transitional Provisions) (No. 2) Order 2013

The Financial Services and Markets Act 2000 (EEA Passport Rights) Regulations 2001

3. In the Financial Services and Markets Act 2000 (EEA Passport Rights) Regulations 2001(1)—
- (a) in regulation 1(2) (citation, commencement and interpretation), in the definition of “authorised agent”, for “Authority” substitute “FCA, the PRA”;
 - (b) in regulations 2(1) (establishment of a branch: contents of consent notice) and 3(1) (provision of services: contents of regulator’s notice), for “Authority” substitute “appropriate UK regulator within the meaning of that paragraph”;
 - (c) in regulation 4 (management companies, credit institutions and financial institutions: changes to branch details)—
 - (i) for “Authority”, in each place it appears, substitute “appropriate UK regulator”;
 - (ii) after paragraph (6), insert—

“(7) In this regulation, “the appropriate UK regulator” has the same meaning as in paragraph 13(2) of Schedule 3.”;
 - (d) in regulation 5 (management companies: changes to services)—
 - (i) for “Authority”, in each place it appears, substitute “appropriate UK regulator”;
 - (ii) after paragraph (4), insert—

“(5) In this regulation, “the appropriate UK regulator” has the same meaning as in paragraph 14(3) of Schedule 3.”;
 - (e) in regulation 6 (insurance firms: changes to branch details)—
 - (i) for “Authority”, in each place it appears, substitute “appropriate UK regulator”;
 - (ii) after paragraph (6), insert—

“(7) In this regulation, “the appropriate UK regulator” has the same meaning as in paragraph 13 of Schedule 3.”;
 - (f) in regulation 7 (insurance firms: changes to services)—
 - (i) in paragraph (4)(b), for “Authority” substitute “appropriate UK regulator”;
 - (ii) after paragraph (5), insert—

“(6) In this regulation, “the appropriate UK regulator” has the same meaning as in paragraph 14 of Schedule 3.”;

(1) [S.I. 2001/2511](#); relevant amending instruments are [S.I. 2002/765](#), [2003/1473](#), [2003/2066](#), [2006/3385](#), [2007/763](#), [2007/3253](#), and [2011/99](#).

(2) Paragraph 13 of Schedule 3 to the Financial services and Markets Act 2000 (c.8), as amended by the Financial Services Act 2012, Schedule 4, Part 1, paragraph 2, and [S.I. 2003/1473](#), [2003/2066](#), [2007/126](#), and [2012/1906](#).

(3) Paragraph 14 of Schedule 3 to the Financial services and Markets Act 2000, as amended by the Financial Services Act 2012, Schedule 4, Part 1, paragraph 3, [S.I. 2003/1473](#), [2003/2066](#), [2007/126](#) and [2012/1906](#).

- (g) in regulation 8 (EEA firms ceasing to carry on regulated activities in the United Kingdom), for “to the Authority,” substitute—
 - “to—
 - (i) in relation to an EEA firm which is a PRA-authorised person, the PRA;
 - (ii) in any other case, the FCA.”;
- (h) in regulation 9 (financial institutions giving up right to authorisation)—
 - (i) for “Authority” , in each place it appears, substitute “appropriate UK regulator”;
 - (ii) after paragraph (5), insert—
 - “(6) In this regulation, “the appropriate UK regulator” means—
 - (a) in relation to an EEA firm which is a PRA-authorised person, the PRA;
 - (b) in any other case, the FCA.”;
- (i) in regulation 10 (applications for approval under section 60 by EEA firms), for “Authority” substitute “appropriate UK regulator (within the meaning of the relevant paragraph of Schedule 3)”;
- (j) in Part 3 (Exercise of Passport Rights by UK firms)—
 - (i) after the heading “Changes relating to UK firms”, insert—

“Meaning of “the appropriate UK regulator”

- 10A.** In this Part, “the appropriate UK regulator” means—
 - (a) in relation to a UK firm which is a PRA-authorised person, the PRA;
 - (b) in any other case, the FCA.”;
- (ii) for “Authority”, in each place it appears, substitute “appropriate UK regulator”;
- (k) in regulations 20 (changes relating to EEA firms: procedures partly completed at commencement) and 21 (changes relating to UK firms: procedures partly completed at commencement), for “Authority”, in each place it appears, substitute “Financial Services Authority”.