

2015 No. 2055 (C. 128)

BANKS AND BANKING

**The Financial Services (Banking Reform) Act 2013
(Commencement No. 9) (Amendment) Order 2015**

Made - - - - *16th December 2015*

The Treasury make the following Order in exercise of the powers conferred by section 148(5) of the Financial Services (Banking Reform) Act 2013(a):

Citation

1. This Order may be cited as the Financial Services (Banking Reform) Act 2013 (Commencement No. 9) (Amendment) Order 2015.

Amendments to the Financial Services (Banking Reform) Act 2013 (Commencement No. 9) Order 2015

2.—(1) Article 2(1) of the Financial Services (Banking Reform) Act 2013 (Commencement No. 9) Order 2015(b) is amended as follows.

(2) In sub-paragraph (b)—

- (a) for “30” substitute “30(1) and (2)”; and
- (b) at the end of that sub-paragraph omit “and”.

(3) In sub-paragraph (c) for “32” substitute “32(1)”.

(4) After sub-paragraph (c) insert—

“; and

- (d) section 30(3) for the purpose of inserting sections 64A and 64B(1) to (4), (6) and (7) into FSMA so far as those provisions are not already in force; and
- (e) section 32(2) for the purpose of inserting the following provisions into FSMA—
 - (i) subsection (1) of section 66A so far as that subsection applies to Conditions A and B;
 - (ii) subsections (2) to (4), (8) and (9) of section 66A;
 - (iii) subsection (1) of section 66B so far as that subsection applies to Conditions A and B; and
 - (iv) subsections (2) to (4), (8) and (9) of section 66B.”.

16th December 2015

Two of the Lords Commissioners of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Financial Services (Banking Reform) Act 2013 (Commencement No. 9) Order 2015 (“the 2015 Order”) which brings into force provisions of the Financial Services (Banking Reform) Act 2013 (c. 33) (“the 2013 Act”) relating to the regulation of persons performing functions in relation to financial services firms.

Article 2 of this Order amends Article 2(1) of the 2015 Order which brings into force provisions in sections 30 and 32 of the 2013 Act.

Section 30 of the 2013 Act inserts sections 64A and 64B into the Financial Services and Markets Act 2000 (c. 8) (“FSMA”). The 2015 Order was made to bring into force these new sections on 7 March 2016 so far as they were not already in force. The effect of this Order is that these new sections come into force on 7 March 2016 with the exception of section 64B(5) of FSMA.

Section 32 of the 2013 Act amends section 66 of FSMA and inserts sections 66A and 66B into FSMA. The 2015 Order was made to bring into force these amendments and new sections on 7 March 2016. The effect of this Order is that these amendments and new sections come into force on 7 March 2016 so far as they apply to Conditions A and B as described in section 66A(2) and (3) and section 66B(2) and (3) of FSMA.

This Order will have no effect on the costs of business and the voluntary sector independent of the provisions this Order brings into force. For that reason, no impact assessment has been produced for this instrument.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 4 (partially)	1st March 2014	2014/377
Section 6	1st March 2014	2014/377
Section 13	31st December 2014	2014/3160
Sections 14 and 15	1st March 2014	2014/377
Section 16	1st April 2014	2014/377
Section 17 (partially)	1st March 2014	2014/377
Section 17 (so far as not already in force)	31st December 2014	2014/3160
Section 18 (partially)	25th July 2014	2014/1819
Section 18 (so far as not already in force)	7th March 2016	2015/490
Section 19	25th July 2014	2014/1819
Section 20 (partially)	25th July 2014	2014/1819
Section 20 (so far as not already in force)	7th March 2016	2015/490
Sections 21 to 26	7th March 2016	2015/490
Sections 27 and 28	25th July 2014	2014/1819
Section 29 (partially)	25th July 2014	2014/1819
Section 29 (so far as it inserts section 63F of the Financial Services and Markets Act 2000)	7th March 2016	2015/490
Section 29 (so far as not already in force)	7th March 2017	2015/490

Section 30 (partially)	25th July 2014	2014/1819
Section 30 (so far as not already in force)	7th March 2016	2015/490
Section 31 (partially)	25th July 2014	2014/1819
Section 31 (so far as not already in force)	7th March 2016	2015/490
Section 32	7th March 2016	2015/490
Section 33	25th July 2014	2014/1819
Section 34	7th March 2016	2015/490
Section 35 (partially)	25th July 2014	2014/1819
Section 35 (so far as not already in force)	7th March 2016	2015/490
Section 36 to 38	7th March 2016	2015/490
Sections 39 to 58	1st March 2014	2014/377
Section 59	1st April 2014	2014/823
Section 60(1), (2), (3) and (7)	1st April 2014	2014/823
Section 60 (so far as not already in force)	1st April 2015	2014/2458
Section 61 (partially)	1st November 2014	2014/2458
Section 61 (so far as not already in force)	1st April 2015	2014/2458
Section 62	1st April 2015	2014/2458
Sections 63 to 66	1st April 2014	2014/823
Section 67(2) (partially)	1st November 2014	2014/2458
Section 67(3), (4) and (5)	1st April 2014	2014/823
Section 67 (so far as not already in force)	1st April 2015	2014/2458
Sections 68 to 110	1st March 2014	2014/377
Section 121(1) (partially)	1st March 2014	2014/377
Section 121(3) (partially)	1st March 2014	2014/377
Section 129 (partially)	1st November 2014	2014/2458
Section 129 (so far as not already in force)	1st April 2015	2014/2458
Section 130	1st March 2014	2014/377
Section 132	1st March 2014	2014/377
Section 133(1) (so far as it inserts section 192JB of the Financial Services and Markets Act 2000)	31st December 2014	2014/3160
Section 133(2)(a)	31st December 2014	2014/3160
Section 134 to 137	1st March 2014	2014/377
Section 139	21st March 2014	2014/772
Section 140(1) to (3)	21st March 2014	2014/772
Section 140(4) to (6)	21st March 2014	2014/785
Section 141 (partially)	1st March 2014	2014/377
Section 141 (so far as not already in force)	1st April 2014	2014/377
Schedule 1	1st March 2014	2014/377
Schedule 2, paragraph 4 (so far as it inserts section 48P of the Banking Act 2009)	1st March 2014	2014/377
Schedule 2, paragraph 6(8) (so far as it inserts sections 60A and 60B of the Banking Act 2009)	1st March 2014	2014/377
Schedule 2 (so far as not already in force)	31st December 2014	2014/3160
Schedule 3, paragraph 2 (partially)	25th July 2014	2014/1819
Schedule 3, paragraphs 7, 8, 9, 16(b)(i), 17(b)(i), 19(2)(b)(i) and 19(3)(b)(i)	25th July 2014	2014/1819
Schedule 3 (so far as not already in force)	7th March 2016	2015/490
Schedules 4 and 5	1st March 2014	2014/377
Schedule 6, paragraph 6 (partially)	1st March 2014	2014/377
Schedule 8, paragraphs 3 and 9 (both partially)	1st November 2014	2014/2458

Schedule 8, paragraphs 4, 5 and 7	1st November 2014	2014/2458
Schedule 8 (so far as not already in force)	1st April 2015	2014/2458
Schedule 9, paragraph 4	26th March 2014	2015/428
Schedule 10 paragraphs 1, 2 and 4 to 9	1st March 2014	2014/377
Schedule 10 paragraph 3	1st April 2014	2014/377
Schedule 10 paragraph 10 (partially)	1st March 2014	2014/377
Schedule 10 paragraph 10 (so far as not already in force)	1st June 2014	2014/377

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