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STATUTORY INSTRUMENTS

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**2017 No. 1255**

**The Financial Services and Markets Act 2000 (Markets  
in Financial Instruments) (No.2) Regulations 2017**

**Financial Services and Markets Act 2000**

3.—(1) The Financial Services and Markets Act 2000 is amended as follows.

(2) In section 129(1) (power of court to impose administrative sanctions in cases of market abuse)

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- (a) in the opening words of subsection (1) for the words “sections 380 to 383 which relates to a market abuse requirement” substitute “Part 25 which relates to the market abuse regulation”;
  - (b) in subsection (7) omit the definition of “market abuse requirement”; and
  - (c) after subsection (8) insert—

“(9) An application under Part 25 relates to the market abuse regulation if—

- (a) it is made under section 380 or 382 and the relevant requirement for the purposes of that section is a requirement imposed by the market abuse regulation or a supplementary EU regulation; or
- (b) it is made under section 381 or 383.”.

(3) In section 165A(9)(b) for “4.1(17)” substitute “4.1(15)”.

(4) For section 168(4)(jb)(2) (appointment of persons to carry out investigations in particular cases) substitute—

“(jb) a person may have contravened—

- (i) any provision made by or under this Act for the purposes of the market abuse regulation; or
- (ii) a requirement imposed on that person under sections 122A to 122C, 122G to 122I, 123A or 123B;

(jc) a person may have been knowingly concerned in the contravention of—

- (i) a provision of the market abuse regulation other than Article 14 (prohibition of insider dealing) or 15 (prohibition of market manipulation) of that regulation; or
- (ii) a directly applicable EU regulation made under the market abuse regulation; or”.

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(1) Section 129 was substituted by [S.I. 2016/680](#).

(2) Paragraph (jb) was inserted by [S.I. 2016/680](#).