
STATUTORY INSTRUMENTS

2018 No. 135

The Financial Services and Markets Act
2000 (Benchmarks) Regulations 2018

PART 2

FCA powers over Miscellaneous BM persons

Public censure

10. If the FCA considers that—

- (a) a Miscellaneous BM person has contravened a relevant requirement;
- (b) a member of the management body ^{M1} of a Miscellaneous BM person is responsible for the contravention by the Miscellaneous BM person of a relevant requirement; or
- (c) another member of the senior management ^{M2} of a Miscellaneous BM person is responsible for the contravention by the Miscellaneous BM person of a relevant requirement;

the FCA may publish a statement to that effect.

Marginal Citations

M1 “management body” is defined in point (20) of paragraph 1 of Article 3 of the EU Benchmarks Regulation 2016 (OJ No. L171 29.06.2016, p.1).

M2 “senior management” is defined in Article 4.1.37 of the Markets in Financial Instruments Directive (OJ No. L173 12.06.2014, p.349; the Directive was amended by Regulation (EU) No. 909/2014 of the European Parliament and of the Council of 23 July 2014 (OJ No. L257, 28.08.2014 p.1) and Directive (EU) 2016 of the European Parliament and of the Council of 23 June 2016 (OJ No. L 175 30.06.2016 p.8)).

Changes to legislation:

There are currently no known outstanding effects for the The Financial Services and Markets Act 2000 (Benchmarks) Regulations 2018, Section 10.