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## STATUTORY INSTRUMENTS

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# 2019 No. 926

## The Proxy Advisors (Shareholders' Rights) Regulations 2019

### PART 4

#### Application of provisions of the Act for the purposes of Part 3

##### Application of Part 27 of the Act

**27.**—(1) Part 27 of the Act (offences) applies with respect to offences under these Regulations, or under the Act as applied by these Regulations, as it applies with respect to offences under the Act, and has effect for those purposes with the following modifications.

(2) A reference to an offence under the Act includes a reference to an offence under these Regulations or under the Act as applied by these Regulations.

(3) In section 398 (misleading FCA or PRA: residual cases)—

(a) in subsection (1), in relation to a requirement falling within subsection (1A)(a)<sup>M1</sup> (as read with the modification in sub-paragraph (b)), the reference to a regulator is a reference to the FCA; and

(b) in subsections (1A)(a) and (2) the reference to the Act includes a reference to these Regulations and to the Act as applied by these Regulations.

(4) In section 400 (offences by bodies corporate etc) ignore subsection (6A)<sup>M2</sup>.

(5) In section 401 (proceedings for offences) is to be read as if—

(a) in subsection (1) paragraphs (b) and (c) were omitted; and

(b) in subsections (2)(a) and (3)(a) the reference to the Secretary of State were omitted.

(6) Ignore section 402 (power of FCA to institute proceedings for certain other offences).

(7) In section 403 (jurisdiction and procedure in respect of offences) subsection (7) is to be read as if the words from “or an offence” to the end were omitted.

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##### Commencement Information

**II** Reg. 27 in force at 10.6.2019, see [reg. 1](#)

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##### Marginal Citations

**M1** Subsection (1A) was inserted by [S.I. 2013/1773](#).

**M2** Subsection (6A) was inserted by the Financial Services Act 2012, section 37(1) and Schedule 9, paragraphs 1 and 37.

**Changes to legislation:**

The Proxy Advisors (Shareholders' Rights) Regulations 2019, Section 27 is up to date with all changes known to be in force on or before 18 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Regulations revoked by [2023 c. 29 Sch. 1 Pt. 2](#)