

## SCHEDULE 1

Amendment, or application with modifications, of provisions of FSMA 2000 and secondary legislation made under it

### PART 2

Application with modifications of provisions of FSMA 2000 and secondary legislation

#### *FCA rules and guidance*

9.—(1) The provisions of Part 9A of FSMA 2000<sup>(1)</sup> listed in sub-paragraph (2) apply in relation to rules made by the FCA under regulation 22 or 34(1) of these Regulations as they apply in relation to rules made by the FCA under FSMA 2000, but subject to the modification in sub-paragraph (3).

(2) Those provisions are—

- (a) section 137T (general supplementary powers);
- (b) section 138A (modification or waiver of rules);
- (c) section 138C (evidential provisions);
- (d) section 138E (limits on effect of contravening rules);
- (e) sections 138F, 138G and 138H (notification, making and verification of rules);
- (f) sections 138I and 138L (consultation);
- (g) section 141A (power to make consequential amendments of references to rules).

(3) The modification is that section 137T<sup>(2)</sup> (general supplementary powers) is to be read as if any reference to authorised persons were—

- (a) in the case of rules under regulation 22, a reference to securitisation repositories registered under Part 5;
- (b) in the case of rules under regulation 34(1), a reference to small registered UK AIFMs.

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(1) Part 9A was inserted by section 24 of the Financial Services Act 2012 and section 138BA was inserted by section 34 of the Financial Services and Markets Act 2023.

(2) Section 137T was amended by section 66 of the Financial Services and Markets Act 2023.