
STATUTORY INSTRUMENTS

2024 No. 107

The Data Reporting Services Regulations 2024

PART 3

Administration and enforcement

CHAPTER 2

Application of FSMA 2000 for the purposes of the Regulations

Application of Part 25 of FSMA 2000 (injunctions and restitution)

22.—(1) Part 25 of FSMA 2000(1) (injunctions and restitution) applies for the purposes of these Regulations and FSMA 2000 as applied by these Regulations, with the following modifications.

- (2) Part 25 FSMA 2000 applies as if—
- (a) each reference to that Act included a reference to these Regulations;
 - (b) each reference to a section of that Act were a reference to that section as applied by these Regulations;
 - (c) each reference to a regulator, the regulator concerned or the appropriate regulator were a reference to the FCA;
 - (d) references to the Secretary of State were omitted;
 - (e) each reference to a relevant requirement were a reference to a requirement which is imposed by or under these Regulations, or that Act as applied by these Regulations.
- (3) Section 380 of FSMA 2000 applies as if subsections (6) to (12) were omitted.
- (4) Section 381 of FSMA 2000 (injunctions in case of market abuse) does not apply.
- (5) Section 382 of FSMA 2000 (restitution orders) applies as if subsections (9) to (15) were omitted.
- (6) Section 383 of FSMA 2000 (restitution orders in case of market abuse) does not apply.
- (7) Section 384 of FSMA 2000 (power of FCA or PRA to require restitution) applies as if—
- (a) in subsection (1)—
 - (i) the reference to an authorised person were a reference to a data reporting service provider; and
 - (ii) the reference to a recognised investment exchange were omitted;
 - (b) subsections (2) and (3) and references to those subsections were omitted;
 - (c) subsections (7) to (13) were omitted.

(1) Part 25 was amended by paragraphs 19, 21, 23, 24 and 25 of Schedule 9 to the Financial Services Act 2012, paragraph 3 of Schedule 10 to the Financial Services (Banking Reform) Act 2013 and [S.I. 2007/126](#), [2013/1773](#), [2015/1775](#), [2016/225](#) and [680](#) and [2019/632](#). There are other amendments but none is relevant.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
