

**2016 No.000**

**FINANCIAL SERVICES AND MARKETS**

**Financial Services and Markets Act 2000 (Qualifying EU Provisions) (Amendment) Order 2016**

*Made* - - - -

*Date*

*Laid before Parliament*

*Date*

*Coming into force* - -

*Date*

The Treasury, in exercise of the powers conferred by sections 1A(6)(d), 1L(2)(b), 2A(6)(d), 39(4)(b), 66(2)(b)(ii) and (2A)(b)(ii), 168(4)(k), 204A(2)(b) and (4), 293A, 296(1A), 297(2A)(c), 312E(2)(c) and (3)(c), 380(6)(a)(i) and (9), 382(9)(a)(i) and (12), 384(7)(a) and (10) of, and paragraph 23(2)(b) of Schedule 1ZA and paragraph 31(2)(b) of Schedule 1ZB to, the Financial Services and Markets Act 2000(a), make the following Order:

**Citation, commencement and interpretation**

**1.**—(1) This Order may be cited as the Financial Services and Markets Act 2000 (Qualifying EU Provisions) (Amendment) Order 2016 and comes into force on [date].

(2) For the purposes of this Order “the Order” means the Financial Services and Markets Act 2000 (Qualifying EU Provisions) Order 2013(b).

**Amendments to the Order**

**2.**—(1) The Order is amended as follows.

(2) In article 1(2) at the end, insert—

“the markets in financial instruments regulation” means Regulation (EU) No 600/2014 of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Regulation (EU) No 648/2012.”.

(3) In article 2—

(a) after paragraph (2)(a), insert—

“(aa) the markets in financial instruments regulation and any directly applicable regulation made under it;”;

(b) after paragraph (6)(a), insert—

“(aa) the markets in financial instruments regulation and any directly applicable regulation made under it;”;

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(a) 2000 c.8. Sections 1A(6)(d), 1L(2)(b), 2A(6)(d), 39(4)(b), 66(2)(b)(ii), 66(2A)(b)(ii), 168(4)(k), 204A(2)(b) and (4), 293A, 312E(c), 380(6)(a)(i) and (9), 382(9)(a)(i) and (12), 384(7)(a) and (10) and paragraph 23(2)(b) of Schedule 1ZA and paragraph 31(2)(b) of Schedule 2, were inserted by the Financial Services Act 2012 (2012 c.21). Sections 296(1A) and 297(2A) were amended by the Financial Services Act 2012. Other amendments are not relevant here.

(b) S.I. 2013/419. The Order was amended by S.I. 2013/1773 and S.I. 2014/2877.

- (c) after paragraph (8)(a), insert—
  - “(aa) the markets in financial instruments regulation and any directly applicable regulation made under it;”.
- (4) In article 3—
  - (a) after paragraph (2)(a), insert—
    - “(aa) the markets in financial instruments regulation and any directly applicable regulation made under it;”; and
  - (b) in paragraph (3)(a) after “directive”, insert “, the markets in financial instruments regulation and any directly applicable regulation made under it”.
- (5) In article 4—
  - (a) after paragraph (3)(a), insert—
    - “(aa) the markets in financial instruments regulation and any directly applicable regulation made under it;”;
  - (b) after paragraph (5)(a), insert—
    - “(aa) the markets in financial instruments regulation and any directly applicable regulation made under it;”; and
  - (c) after paragraph (7)(a), insert—
    - “(aa) the markets in financial instruments regulation and any directly applicable regulation made under it;”.
- (6) In article 5—
  - (a) after paragraph (2)(a), insert—
    - “(aa) the markets in financial instruments regulation and any directly applicable regulation made under it;”; and
  - (b) in paragraph (5)(a) after “directive”, insert “, the markets in financial instruments regulation and any directly applicable regulation made under it”.
- (7) In article 6—
  - (a) after paragraph (2)(a), insert—
    - “(aa) the markets in financial instruments regulation and any directly applicable regulation made under it;”; and
  - (b) after paragraph (4)(a), insert—
    - “(aa) the markets in financial instruments regulation and any directly applicable regulation made under it;”.

	<i>Name</i>	
	<i>Name</i>	
Date		Two of the Lords Commissioners of her Majesty's Treasury

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Financial Services and Markets Act 2000 (Qualifying EU Provisions) Order 2013 (S.I. 2013/419) (“the Order”) to specify Regulation (EU) No 600/2014 of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Regulation (EU) No 648/2012 (OJ L173, 12/6/2014, p.84) (“MiFIR”) and directly applicable EU Regulations made under MiFIR as qualifying EU provisions for the purposes of various provisions of the Financial Services and Markets Act 2000 (c. 8). The amendments enable the Financial Conduct Authority and Prudential Regulation Authority to enforce directly

applicable requirements arising from MiFIR and directly applicable EU Regulations made under it in relation to persons in the United Kingdom.