Draft Order laid before Parliament under section 116 of the Financial Services Act 2012, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2013 No. 0000

FINANCIAL SERVICES AND MARKETS

The Financial Services Act 2012 (Consequential Amendments) Order 2013

Made - - - -	***
Coming into force - -	*1st April 2013*

The Treasury make the following Order in exercise of the powers conferred by section 118 of the Financial Services Act 2012 ("the Act")(**1**):

In accordance with section 116(2)(d) of the Act, a draft of this instrument was laid before Parliament and approved by a resolution of each House of Parliament.

Citation and commencement

1.—(1) This Order may be cited as the Financial Services Act 2012 (Consequential Amendments) Order 2013.

(2) This Order comes into force on 1st April 2013.

Amendments of enactments

2. The Schedule to this Order (which contains amendments to enactments consequential on the Financial Services Act 2012) has effect.

Name
Name
Two of the Lords Commissioners of Her Majesty's Treasury

Date

(**1**) 2012 c.21

SCHEDULE Article 2

Consequential Amendments of Enactments

Superannuation and other Trust Funds (Validation) Act 1927

3. In section 8 (interpretation) of the Superannuation and other Trust Funds (Validation) Act 1927(**2**), in the definition of "Authority", for "Financial Services Authority" substitute "Financial Conduct Authority".

Taxation of Chargeable Gains Act 1992

4. In section 117(11)(b) (meaning of "qualifying corporate bond") of the Taxation of Chargeable Gains Act 1992(**3**)—

(a) for "General Prudential Sourcebook made by the Financial Services Authority" substitute "PRA Handbook made by the Prudential Regulation Authority", and

(b) for "that Sourcebook" substitute "that Handbook".

Finance Act 1993

5. In section 184(1) (interpretation and commencement) of the Finance Act 1993(**4**), in the definition of "premium trust fund", for "Insurance Prudential Sourcebook made by the Financial Services Authority" substitute "Prudential Sourcebook for Insurers made by the Prudential Regulation Authority".

Finance Act 1994

6. In section 230(1) (interpretation and commencement) of the Finance Act 1994(**5**), in the definition of "premium trust fund", for "Insurance Prudential Sourcebook made by the Financial Services Authority" substitute "Prudential Sourcebook for Insurers made by the Prudential Regulation Authority".

Finance Act 1998

7.—(1) Paragraph 87 (friendly societies with non-annual actuarial investigations) of Schedule 18 (company tax returns, assessments and related matters) to the Finance Act 1998(**6**) is amended as follows.

(2) In sub-paragraph (1), for "Prudential Sourcebook (Friendly Societies)" substitute "IPRU (FSOC)".

(3) In sub-paragraph (3)(a), for "Prudential Sourcebook (Friendly Societies)" substitute "IPRU (FSOC)".

(4) For sub-paragraph (4) substitute—

"(4) In this paragraph, "IPRU (FSOC)" means the Interim Prudential Sourcebook for Friendly Societies made by the Prudential Regulation Authority under the Financial Services and Markets Act 2000."

(**2**) 1927 c.41; the definition of "Authority" was inserted by S.I. 2001/3649.
(**3**) 1992 c.12; section 117(11)(b) was amended by S.I. 2001/3629 and 2006/3291.
(**4**) 1993 c.34; the definition of "premium trust fund" was substituted by S.I. 2001/3629 and amended by S.I. 2006/3273.
(**5**) 1994 c.9; the definition "premium trust fund" was substituted by S.I. 2001/3629 and amended by S.I. 2006/3273.
(**6**) 1998 c.36; paragraph 87 was amended by S.I. 2001/3629.

Financial Services and Markets Act 2000

8. In section 241 (actions for damages) of the Financial Services and Markets Act 2000(**7**), for "section 150" substitute "section 138D" and for "that section" substitute "section 138D(2).

Finance Act 2004

9. In paragraph 15(8) (exception to direct holding) of Schedule 29A (taxable property held by investment-regulated pension schemes) to the Finance Act 2004(**8**), in the definition of "internal linked fund"—

(a) in paragraph (a), for "Financial Services Authority" substitute "Prudential Regulation Authority", and

(b) in paragraph (b), for "Authority" substitute "Prudential Regulation Authority".

Income Tax (Trading and Other Income) Act 2005

10. In section 520(4) (the property categories) of the Income Tax (Trading and Other Income) Act 2005(**9**), in the definition of "internal linked fund"—

(a) in paragraph (a), for "Financial Services Authority" substitute "Prudential Regulation Authority", and

(b) in paragraph (b), for "Authority" substitute "Prudential Regulation Authority".

Companies Act 2006

11.—(1) The Companies Act 2006(**10**) is amended as follows.

(2) In section 472A(1) (meaning of "corporate governance statement" etc)(**11**), for "issued by the Financial Services Authority" substitute "made by the Financial Conduct Authority".

(3) In section 474(1) (minor definitions), in the definition of "UCITS management company", for "Financial Services Authority" substitute "Financial Conduct Authority".

(4) In section 497A (auditor's report on separate corporate governance statement)(**12**)—

(a) in subsection (1), for "issued by the Financial Services Authority" substitute "made by the Financial Conduct Authority", and

(b) omit subsection (2).

(5) In section 538A (meaning of "corporate governance statement" etc)(**13**)—

(a) in subsection (1), for "issued by the Financial Services Authority" substitute "made by the Financial Conduct Authority", and

(b) omit subsection (2).

(6) In section 539 (minor definitions), in the definition of "UCITS management company", for "Financial Services Authority" substitute "Financial Conduct Authority".

(7) In section 855(4) (contents of annual return: general)(**14**), in the definition of "DTR5 issuer", for "issued by the Financial Services Authority" substitute "made by the Financial Conduct Authority".

(**7**) 2000 c.8; section 138D was inserted by section 24 of the Financial Services Act 2012.
(**8**) 2004 c.12; Schedule 29A was inserted by paragraph 13 of Schedule 21 to the Finance Act 2006 (c.25).
(**9**) 2005 c.5.
(**10**) 2006 c.46.
(**11**) Section 472A was inserted by S.I. 2009/1581.
(**12**) Section 497A was inserted by S.I. 2009/1581.
(**13**) Section 538A was inserted by S.I. 2009/1581.
(**14**) Section 855(4) was inserted by S.I. 2008/3000 and the definition of "DTR5 issuer" was inserted by S.I. 2011/1487.