

**MARKET CONDUCT SOURCEBOOK (AMENDMENT NO 10) INSTRUMENT 2011**

**Powers exercised**

- A. The Financial Services Authority makes this instrument in the exercise of the following powers and related provisions in the Financial Services and Markets Act 2000 (“the Act”):
- (1) section 119 (The code); and
  - (2) section 121 (Codes: procedure).

**Commencement**

- B. This instrument comes into force on 6 March 2011.

**Amendments to the Handbook**

- C. The Market Conduct sourcebook (MAR) is amended in accordance with the Annex to this instrument.

**Citation**

- D. This instrument may be cited as the Market Conduct Sourcebook (Amendment No 10) Instrument 2011.

By order of the Board  
24 February 2011

## Annex

### Amendments to the Market Conduct sourcebook (MAR)

In this Annex, underlining indicates new text and striking through indicates deleted text.

#### 1.3 Market abuse (insider dealing)

...

Factors to be taken into account: “on the basis of”

1.3.3 E ...

1.3.4 E ~~In the opinion of the FSA, if the *inside information* is the reason for, or a material influence on, the decision to *deal* or attempt to *deal*, that indicates that the *person's behaviour* is “on the basis of” *inside information*.~~ [deleted]