

PROSPECTUS RULES (AMENDMENT NO 2) INSTRUMENT 2015

Powers exercised

- A. The Financial Conduct 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 73A (Part 6 Rules);
 - (2) section 84 (Prospectus rules);
 - (3) section 137A (General rule-making power); and
 - (4) section 137T (General supplementary powers).
- B. The rule-making powers listed above are specified for the purpose of section 138G(2) (Rule-making instruments) of the Act.

Commencement

- C. This instrument comes into force on 31 March 2015.

Amendments to the FCA Handbook

- D. The Prospectus Rules sourcebook (PR) is amended in accordance with the Annex to this instrument.

Notes

- E. In the annex to this instrument, the “notes” (indicated by “**Note:**”) are included for the convenience of readers but do not form part of the legislative text.

Citation

- F. This instrument may be cited as the Prospectus Rules (Amendment No 2) Instrument 2015.

By order of the Board of the Financial Conduct Authority
24 March 2015

Annex

Amendments to the Prospectus Rules sourcebook (PR)

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

2.2 Format of prospectus

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Base prospectus

...

2.2.9 R If the final terms are not included in ~~either~~ the *base prospectus* or a *supplementary prospectus*:

(1) ~~the final terms must be provided to investors and filed with the FCA, and made available to the public, in accordance with PR 3.2.4R to PR 3.2.6R the PD Regulation as soon as practicable after each offer is made and, if possible, before the offer begins:~~

(a) filed with the FCA; and

(b) made available to the public in accordance with PR 3.2.4R to PR 3.2.6R;

[Note: see PR TR 2]

(2) ...

2.2.9A R PR 2.2.9R(1) must be complied with:

(1) as soon as practicable after the offer is made or the admission to trading occurs; or

(2) where possible, before the offer begins or the admission to trading occurs.

...

3.2 Filing and publication of prospectus

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Method of publishing

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- 3.2.4A R A person ~~requesting admission and drawing up~~ publishing a *prospectus* in accordance with *PR 3.2.4R(1)* or (2) must also publish their *prospectus* electronically in accordance with *PR 3.2.4R(3)*.

[**Note:** article 14.2 *PD*]

...

TR Transitional Provisions

(1)	(2) Material to which the transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision: dates in force	(6) Handbook provision: coming into force
1.	...				
<u>2.</u>	<u><i>PR 2.2.9R(1)</i></u>	<u>R</u>	<u>The final terms must be sent to the competent authority of any <i>Host State</i> where an <i>offer</i> will be made or an <i>admission to trading</i> will occur.</u>	<u>From 31 March 2015 up to and including 31 December 2015.</u>	<u>31 March 2015</u>