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STATUTORY INSTRUMENTS

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**2023 No. 1411**

**The Financial Services and Markets Act 2000 (Financial Promotion) (Amendment) (No. 2) Order 2023**

**Amendment of the Financial Services and Markets Act 2000 (Financial Promotion) Order 2005**

- 7.—(1) Article 50A (self-certified sophisticated investors) is amended as follows.
- (2) For paragraph (1) substitute—
- “(1) “Self-certified sophisticated investor” means an individual—
- (a) who has completed and signed, within the period of twelve months ending with the day on which the communication is made, a statement complying with Part 2 of Schedule 5; and
- (b) whose completion of that statement indicates that they satisfy the conditions set out in the statement to be classified as a self-certified sophisticated investor.”.
- (3) In paragraph (2), for “signed” substitute “completed and signed”.
- (4) In paragraph (4), in the words before sub-paragraph (a) and in sub-paragraph (b)—
- (a) after “a warning”, insert “and information”;
- (b) after “in accordance with paragraphs (5)” insert “, (5A)”.
- (5) After paragraph (5), insert—
- “(5A) In addition to the warning in paragraph (5), the requirements of this paragraph are that the communication is accompanied by the following information—
- (a) the full name of the person making the communication, or on whose behalf the communication is made;
- (b) a postal or electronic address to which a person should send requests for further information or any other enquiry regarding the matters to which the communication relates; and
- (c) if applicable—
- (i) the country or territory in which the person making the communication, or on whose behalf the communication is made, is incorporated;
- (ii) where different from the information provided under (b), the address of the registered office of the person making the communication, or on whose behalf the communication is made; and
- (iii) the company number, or unique identification equivalent to a registered number required by the law of the state in which it is incorporated, of the person making the communication, or on whose behalf the communication is made.”.
- (6) In paragraph (6), after “The warning”, insert “and information”.