



Financial Services and Markets Act 2000

2000 CHAPTER 8

PART II

REGULATED AND PROHIBITED ACTIVITIES

Requirement for permission

20 Authorised persons acting without permission.

- (1) If an authorised person [^{F1}other than a PRA-*authorised person*] carries on a regulated activity in the United Kingdom, or purports to do so, otherwise than in accordance with permission—
- [^{F2}(a) given to that person under Part 4A, or]
 - (b) resulting from any other provision of this Act,
- he is to be taken to have contravened a requirement imposed on him by the [^{F3}FCA] under this Act.

- [^{F4}(1A) If a PRA-*authorised person* carries on a regulated activity in the United Kingdom, or purports to do so, otherwise than in accordance with permission given to the person under Part 4A or resulting from any other provision of this Act, the person is to be taken to have contravened—
- (a) a requirement imposed by the FCA, and
 - (b) a requirement imposed by the PRA.]

- [^{F5}(2) A contravention within subsection (1) or (1A)—
- (a) does not, except as provided by section 23(1A), make a person guilty of an offence,
 - (b) does not, except as provided by section 26A, make any transaction void or unenforceable, and
 - (c) does not, except as provided by subsection (3), give rise to any right of action for breach of statutory duty.]

Status: Point in time view as at 01/04/2014. This version of this provision has been superseded.

Changes to legislation: Financial Services and Markets Act 2000, Section 20 is up to date with all changes known to be in force on or before 06 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(3) In prescribed cases [^{F6}a contravention within subsection (1) or (1A)] is actionable at the suit of a person who suffers loss as a result of the contravention, subject to the defences and other incidents applying to actions for breach of statutory duty.

[^{F7}(4) Subsections (1) and (1A) are subject to section 39(1D).

(5) References in this Act to an authorised person acting in contravention of this section are references to the person acting in a way that results in a contravention within subsection (1) or (1A).]

Textual Amendments

- F1** Words in s. 20(1) inserted (1.4.2013) by [Financial Services Act 2012 \(c. 21\), s. 122\(3\), Sch. 9 para. 2\(2\)\(a\)](#) (with [Sch. 20](#)); [S.I. 2013/423, art. 3, Sch.](#)
- F2** S. 20(1)(a) substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\), s. 122\(3\), Sch. 9 para. 2\(2\)\(b\)](#) (with [Sch. 20](#)); [S.I. 2013/423, art. 3, Sch.](#)
- F3** Word in s. 20(1) substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\), s. 122\(3\), Sch. 9 para. 2\(2\)\(c\)](#) (with [Sch. 20](#)); [S.I. 2013/423, art. 3, Sch.](#)
- F4** S. 20(1A) inserted (1.4.2013) by [Financial Services Act 2012 \(c. 21\), s. 122\(3\), Sch. 9 para. 2\(3\)](#) (with [Sch. 20](#)); [S.I. 2013/423, art. 3, Sch.](#)
- F5** S. 20(2) substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\), s. 122\(3\), Sch. 9 para. 2\(4\)](#) (with [Sch. 20](#)); [S.I. 2013/423, art. 3, Sch.](#)
- F6** Words in s. 20(3) substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\), s. 122\(3\), Sch. 9 para. 2\(5\)](#) (with [Sch. 20](#)); [S.I. 2013/423, art. 3, Sch.](#)
- F7** S. 20(4)(5) inserted (1.4.2013) by [Financial Services Act 2012 \(c. 21\), s. 122\(3\), Sch. 9 para. 2\(6\)](#) (with [Sch. 20](#)); [S.I. 2013/423, art. 3, Sch.](#)

Modifications etc. (not altering text)

- C1** S. 20 excluded (1.12.2001) by [S.I. 2001/2636, arts. 1\(2\)\(b\), 62\(1\)-\(4\)](#); [S.I. 2001/3538, art. 2\(1\)](#)
S. 20 applied (1.12.2001) by [S.I. 2001/2636, arts. 1\(2\)\(b\), 62\(5\)](#); [S.I. 2001/3538, art. 2\(1\)](#)
S. 20 modified (31.10.2001) by [S.I. 2001/3374, art. 1, Sch. para. 2](#)
- C2** S. 20 modified (31.10.2004) by [The Financial Services and Markets Act 2000 \(Transitional Provisions\) \(Mortgages\) Order 2004 \(S.I. 2004/2615\), arts. 1\(2\)\(b\), 5, Sch. para. 2](#)
- C3** S. 20 modified (14.1.2005) by [The Financial Services and Markets Act 2000 \(Transitional Provisions\) \(General Insurance Intermediaries\) Order 2004 \(S.I. 2004/3351\), arts. 1\(2\)\(b\), 5, Sch. para. 2](#)
- C4** S. 20 modified (6.4.2007) by [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) Order 2006 \(S.I. 2006/1969\), arts. 1\(3\), 7, Sch. para. 2](#)
- C5** S. 20 modified (30.6.2008 for certain purposes, otherwise 1.1.2009) by [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) \(No. 2\) Order 2007 \(S.I. 2007/3510\), arts. 1\(2\), 7\(1\)\(2\)](#)
- C6** S. 20 modified (1.7.2009 for certain purposes, otherwise 30.6.2010) by [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) Order 2009 \(S.I. 2009/1342\), arts. 1\(2\), 34, {Sch. paras. 1, 2}](#)
- C7** S. 20 modified (2.4.2013) by [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) Order 2013 \(S.I. 2013/655\), arts. 1, 10\(3\)](#)
- C8** S. 20(1)(1A) excluded (22.7.2013) by [The Alternative Investment Fund Managers Regulations 2013 \(S.I. 2013/1773\), regs. 1, 76\(2\), 78\(4\)](#)

Commencement Information

- I1** S. 20 wholly in force at 1.12.2001; s. 20 not in force at Royal Assent see s. 431(2); s. 20(3) in force for certain purposes at 25.2.2001 by [S.I. 2001/516, art. 2\(b\), Sch. Pt. 2](#); s. 20 in force in so far as not already in force at 1.12.2001 by [S.I. 2001/3538, art. 2\(1\)](#)

Status:

Point in time view as at 01/04/2014. This version of this provision has been superseded.

Changes to legislation:

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