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STATUTORY INSTRUMENTS

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**2001 No. 3629**

The Financial Services and Markets Act 2000  
(Consequential Amendments) (Taxes) Order 2001

PART 3

AMENDMENTS TO SECONDARY LEGISLATION

*The Occupational Pension Schemes (Transitional Provisions) Regulations 1988 (S.I.1988/1436)*

**Disapplication of paragraphs 2, 3, 4 and 6 of Schedule 23 to the Income and Corporation Taxes Act 1988—further provision**

**119.**—(1) Amend regulation 4ZA(4) of the Occupational Pension Schemes (Transitional Provisions) Regulations 1988 (disapplication of paragraphs 2, 3, 4 and 6 of the Schedule—further provision)(1) as follows.

(2) In the definition of “bad investment advice” for paragraph (d) substitute—

“**(d)** by reason of a contravention which is actionable—

(i) under section 62 of the Financial Services Act 1986; or

(ii) under section 150 of the Financial Services and Markets Act 2000;”.

(3) For the definition of “investment advice” substitute—

““investment advice”—

(a) in relation to a time before 1st December 2001, means advice such as is mentioned in paragraph 15 of Schedule 1 to the Financial Services Act 1986; and

(b) in relation to a time on or after that date, means advice such as is mentioned in Article 53 of the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001;”.