
STATUTORY INSTRUMENTS

2001 No. 3649

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

PART 9

AMENDMENTS TO SECONDARY LEGISLATION

The Consumer Protection (Cancellation of Contracts Concluded Away From Business Premises) Regulations 1987 (S.I. 1987/2117)

Excepted contracts

386.—(1) Regulation 3 of the Consumer Protection (Cancellation of Contracts Concluded away from Business Premises) Regulations 1987 (contracts to which the Regulations apply) is amended as follows.

(2) For paragraph (2)(d) substitute—

“(d) contracts of insurance;”.

(3) For paragraph (2)(e) substitute—

“(e) any agreement the making or performance of which by either party constitutes a relevant regulated activity;”.

(4) After paragraph (3)(1) insert—

“(4) For the purposes of paragraph (2)(e)—

(a) “a relevant regulated activity” means an activity of the following kind, namely—

- (i) dealing in investments, as principal or as agent,
- (ii) arranging deals in investments,
- (iii) managing investments,
- (iv) safeguarding and administering investments,
- (v) establishing etc. a collective investment scheme; and

(b) “investment” means—

- (i) shares,
- (ii) instruments creating or acknowledging indebtedness,
- (iii) government and public securities,
- (iv) instruments giving entitlement to investments,
- (v) certificates representing securities,
- (vi) units in a collective investment scheme,

- (vii) options,
 - (viii) futures,
 - (ix) contracts for differences, and
 - (x) rights to or interests in investments.
- (5) Paragraphs (2)(d) and (4) must be read with—
- (a) section 22 of the Financial Services and Markets Act 2000;
 - (b) any relevant order under that section; and
 - (c) Schedule 2 to that Act,

but any restriction on or exclusion from the meaning of a regulated activity (which is a relevant regulated activity for the purposes of paragraph (2)(e)) which arises from the identity of the person carrying it on is to be disregarded.”.