
STATUTORY INSTRUMENTS

2001 No. 544

The Financial Services and Markets Act
2000 (Regulated Activities) Order 2001

PART II **U.K.**

SPECIFIED ACTIVITIES

[^{F1}CHAPTER 6A **U.K.**

CREDIT BROKING

Exclusions

[^{F1}]^{F2} **Activities carried on by registered social landlords** **U.K.**

36FA.—(1) There are excluded from article 36A (credit broking) activities carried on by a registered social landlord, for which the registered social landlord does not receive a fee.

(2) The exclusion in paragraph (1) only applies to activities relating to the introduction of an individual who wishes to enter into a credit agreement, to—

- (a) a credit union;
- (b) a community benefit society;
- (c) a community interest company limited by guarantee;
- (d) a registered charity, or a subsidiary of a registered charity;
- (e) a subsidiary of a registered social landlord.

(3) For the purposes of this article, “fee” includes pecuniary consideration or any other form of financial consideration.

(4) In this article—

“community benefit society” means a registered society within the meaning of the Co-operative and Community Benefit Societies Act 2014 or a registered society within the meaning of the Co-operative and Community Benefit Societies Act (Northern Ireland) 1969;

“community interest company limited by guarantee” means a community interest company limited by guarantee within the meaning of section 26 of the Companies (Audit, Investigations and Community Enterprise) Act 2004;

“credit union” means a credit union within the meaning of—

- (a) the Credit Unions Act 1979;
- (b) the Credit Unions (Northern Ireland) Order 1985;

“registered charity” means

- (a) in England and Wales, a charity registered under section 30(1) of the Charities Act 2011;

Changes to legislation: *The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001, Section 36FA is up to date with all changes known to be in force on or before 30 June 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) View outstanding changes*

- (b) in Scotland, a charity registered within the meaning of section 13(1) of the Charities and Trustee Investment (Scotland) Act 2005
- (c) in Northern Ireland, a charity registered under section 16(2) of the Charities Act (Northern Ireland) 2008;

“registered social landlord” means—

- (a) in England, a private registered provider within the meaning of section 80(3) of the Housing and Regeneration Act 2008;
- (b) in Wales, a registered social landlord within the meaning of Part 1 of the Housing Act 1996;
- (c) in Scotland, a registered social landlord within the meaning of the Housing (Scotland) Act 2010;
- (d) in Northern Ireland, a housing association within the meaning of Part 2 of the Housing (Northern Ireland) Order 1992;

“subsidiary” means a subsidiary as defined by section 1159 of the Companies Act 2006.]]

Textual Amendments

- F1** Pt. II Ch. 6A, 6B inserted (26.7.2013 for specified purposes, 1.4.2014 in so far as not already in force) by [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) \(No.2\) Order 2013 \(S.I. 2013/1881\)](#), art. 1(2)(6), 4
- F2** [Art. 36FA](#) inserted (23.7.2019) by [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) Order 2019 \(S.I. 2019/1067\)](#), arts. 1(2), **2(2)**

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 3 Pt. 1 para. 2(c) words substituted by [S.I. 2023/548 art. 2\(5\)](#)