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STATUTORY INSTRUMENTS

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**2001 No. 544**

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

PART II

SPECIFIED ACTIVITIES

CHAPTER XVII

EXCLUSIONS APPLYING TO SEVERAL SPECIFIED KINDS OF ACTIVITY

**[<sup>F1</sup>Insolvency practitioners**

**72H.**—(1) There is excluded from the provisions listed in paragraph (2) any activity carried on by a person acting as an insolvency practitioner.

(2) The provisions are—

- (a) article 14 (dealing in investments as principal);
- (b) article 21 (dealing in investments as agent);
- (c) article 25 (arranging deals in investments);
- (d) article 25D (operating a multilateral trading facility);  
[ article 25DA (operating an organised trading facility);]
- <sup>F2</sup>(da)
- (e) article 37 (managing investments);
- (f) article 39A (assisting in the administration and performance of a contract of insurance);
- (g) article 39D (debt adjusting);
- (h) article 39E (debt-counselling);
- (i) article 39F (debt-collecting);
- (j) article 39G (debt administration);
- (k) article 40 (safeguarding and administering investments);
- (l) article 45 (sending dematerialised instructions);
- (m) article 51ZA (managing [<sup>F3</sup>a UK UCITS]);
- (n) article 51ZB (acting as trustee or depositary of [<sup>F4</sup>a UK UCITS]);
- (o) article 51ZC (managing an AIF);
- (p) article 51ZD (acting as trustee or depositary of an AIF);
- (q) article 51ZE (establishing etc. a collective investment scheme);
- (r) article 52 (establishing etc. a pension scheme);
- (s) article 53 (advising on investments);

*Status: Point in time view as at 11/03/2024.*

*Changes to legislation: The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001, Section 72H is up to date with all changes known to be in force on or before 21 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)*

[ article 59(1A) (carrying out a funeral plan contract as provider);]  
<sup>F5</sup>(sa)

(t) article 89A (providing credit information services).

(3) There is excluded from articles 39D, 39E and 89A any activity carried on by a person acting in reasonable contemplation of that person's appointment as an insolvency practitioner.

(4) There is excluded from article 64 any agreement made by a person acting as an insolvency practitioner to carry on an activity of the kind excluded by paragraph (1).

(5) There is excluded from article 64 any agreement made by a person acting in reasonable contemplation of that person's appointment as an insolvency practitioner to carry on an activity of the kind excluded by paragraph (3).]

#### Textual Amendments

- F1** Arts. 72G, 72H inserted (14.2.2014 for specified purposes, 1.4.2014 in so far as not already in force) by [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) Order 2014 \(S.I. 2014/366\)](#), art. 1(3)(4), **2(43)**
- F2** Art. 72H(2)(da) inserted (1.4.2017 for specified purposes, 3.1.2018 in so far as not already in force) by [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) Order 2017 \(S.I. 2017/488\)](#), arts. 1(2), **12(8)**
- F3** Words in art. 72H(2)(m) substituted (31.12.2020) by [The Financial Services and Markets Act 2000 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/632\)](#), regs. 1(3), **132(5)(a)** (with savings in S.I. 2019/680, reg. 11 (as amended by S.I. 2019/1212, regs. 1(3), 22(3))); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in art. 72H(2)(n) substituted (31.12.2020) by [The Financial Services and Markets Act 2000 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/632\)](#), regs. 1(3), **133(2)** (with savings in S.I. 2019/680, reg. 11 (as amended by S.I. 2019/1212, regs. 1(3), 22(3))); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Art. 72H(2)(sa) inserted (16.5.2022 for specified purposes, 29.7.2022 in so far as not already in force) by [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment\) Order 2022 \(S.I. 2022/466\)](#), arts. 1(3), **2(4)**

**Status:**

Point in time view as at 11/03/2024.

**Changes to legislation:**

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