
STATUTORY INSTRUMENTS

2001 No. 544

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

[^{F1}PART 3B

CLAIMS MANAGEMENT ACTIVITIES IN GREAT BRITAIN

Exclusions

[^{F1}Claims management activity conducted by legal professionals

(1) There is excluded from articles 89G to 89M any activity which is carried on in England and Wales by—

- (a) a legal practitioner;
- (b) a firm, organisation or body corporate that carries on the claims management activity through a legal practitioner; or
- (c) an individual who carries on the claims management activity at the direction of, and under the supervision of, a legal practitioner who is—
 - (i) that individual's employer or fellow employee; or
 - (ii) a director of a company, or a member of a limited liability partnership, that provides the service and is that individual's employer.

(2) For the purposes of paragraph (1) "legal practitioner" means—

- (a) a solicitor or barrister of any part of England and Wales or Northern Ireland;
- (b) a Fellow of the Chartered Institute of Legal Executives;
- (c) a European lawyer, as defined in the European Communities (Services of Lawyers) Order 1978 or the European Communities (Lawyer's Practice) Regulations 2000;
- (d) a registered foreign lawyer, as defined in section 89(9) of the Courts and Legal Services Act 1990;
- (e) any other member of a legal profession, of a jurisdiction other than England and Wales, that is recognised by the Law Society of England and Wales or the General Council of the Bar as a regulated legal profession.

(3) There is excluded from articles 89G to 89M any activity which is carried on in Scotland by—

- (a) a legal practitioner;
- (b) a firm, organisation or body corporate that carries on the claims management activity through or under the supervision of a legal practitioner where that firm, organisation or body corporate is—
 - (i) a firm of solicitors;
 - (ii) an incorporated practice; or

Changes to legislation: The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001, Section 89N is up to date with all changes known to be in force on or before 26 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](#)

- (iii) a licensed legal services provider and the activity is a legal service as defined within section 3 of the Legal Services (Scotland) Act 2010.
- (4) For the purposes of paragraph (3) “legal practitioner” means—
- (a) a person who is qualified to practise as a solicitor under section 4 of the Solicitors (Scotland) Act 1980;
 - (b) an advocate who is a member of the Faculty of Advocates;
 - (c) a European lawyer as defined in the European Communities (Services of Lawyers) Order 1978 or the European Communities (Lawyer’s Practice) (Scotland) Regulations 2000; or
 - (d) a registered foreign lawyer within the meaning of section 65 of the Solicitors (Scotland) Act 1980.
- (5) But an activity mentioned in paragraph (1) or (3) is only excluded from articles 89G to 89M if the legal practitioner concerned carries on the claims management activity in the ordinary course of legal practice pursuant to the professional rules to which that legal practitioner is subject.
- (6) The exclusions in this article are to be read as if they were expressed as exemptions for the purposes of the following provisions of the Financial Guidance and Claims Act 2018—
- (a) section 32(5)(b) (PPI claims: interim restriction on charges imposed by legal practitioners after transfer of regulation to the FCA); and
 - (b) section 33(11) (legal services regulators’ rules: charges for claims management services).]

Textual Amendments

- F1** Pt. 3B inserted (E.W.S.) (29.11.2018 for specified purposes, 1.4.2019 in so far as not already in force) by [The Financial Services and Markets Act 2000 \(Claims Management Activity\) Order 2018 \(S.I. 2018/1253\)](#), art. 1(2)(3), 7

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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\(5\)](#)