
Status: Point in time view as at 05/06/2002.

Changes to legislation: *The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 is up to date with all changes known to be in force on or before 23 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)*

STATUTORY INSTRUMENTS

2001 No. 544

FINANCIAL SERVICES AND MARKETS

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

Approved by both Houses of Parliament

Made - - - - 26th February 2001

Laid before Parliament 27th February 2001

Coming into force in accordance with article 2

THE FINANCIAL SERVICES AND MARKETS ACT
2000 (REGULATED ACTIVITIES) ORDER 2001

PART I
GENERAL

1. Citation
2. Commencement
3. Interpretation

PART II
SPECIFIED ACTIVITIES

Chapter I

General

4. Specified activities: general

Chapter II

Accepting Deposits

The activity

5. Accepting deposits

Status: Point in time view as at 05/06/2002.

Changes to legislation: The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 is up to date with all changes known to be in force on or before 23 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)

Exclusions

- 6. Sums paid by certain persons
- 7. Sums received by solicitors etc.
- 8. Sums received by persons authorised to deal etc.
- 9. Sums received in consideration for the issue of debt securities
- 9A Sums received in exchange for electronic money

CHAPTER IIA

ELECTRONIC MONEY

The activity

- 9B Issuing electronic money

Exclusions

- 9C Persons certified as small issuers etc.
- 9D Applications for certificates
- 9E Revocation of certificate on Authority's own initiative
- 9F Revocation of certificate on request
- 9G Obtaining information from certified persons etc.

Supplemental

- 9H Rules prohibiting the issue of electronic money at a discount
- 9I False claims to be a certified person
- 9J Exclusion of electronic money from the compensation scheme
- 9K Record of certified persons

Chapter III

Insurance

The activities

- 10. Effecting and carrying out contracts of insurance

Exclusions

- 11. Community co-insurers
- 12. Breakdown insurance

Supplemental

- 13. Application of sections 327 and 332 of the Act to insurance market activities

Chapter IV

Dealing in Investments as Principal

The activity

- 14. Dealing in investments as principal

Status: Point in time view as at 05/06/2002.

Changes to legislation: The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 is up to date with all changes known to be in force on or before 23 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)

Exclusions

15. Absence of holding out etc.
16. Dealing in contractually based investments
17. Acceptance of instruments creating or acknowledging indebtedness
18. Issue by a company of its own shares etc.
19. Risk management
20. Other exclusions

Chapter V

Dealing in Investments as Agent

The activity

21. Dealing in investments as agent

Exclusions

22. Deals with or through authorised persons
23. Risk management
24. Other exclusions

Chapter VI

Arranging Deals in Investments

The activities

25. Arranging deals in investments

Exclusions

26. Arrangements not causing a deal
27. Enabling parties to communicate
28. Arranging transactions to which the arranger is a party
29. Arranging deals with or through authorised persons
30. Arranging transactions in connection with lending on the security of insurance policies
31. Arranging the acceptance of debentures in connection with loans
32. Provision of finance
33. Introducing
34. Arrangements for the issue of shares etc.
35. International securities self-regulating organisations
36. Other exclusions

Chapter VII

Managing Investments

The activity

37. Managing investments

Status: Point in time view as at 05/06/2002.

Changes to legislation: The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 is up to date with all changes known to be in force on or before 23 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)

Exclusions

- 38. Attorneys
- 39. Other exclusions

Chapter VIII

Safeguarding and Administering Investments

The activity

- 40. Safeguarding and administering investments

Exclusions

- 41. Acceptance of responsibility by third party
- 42. Introduction to qualifying custodians
- 43. Activities not constituting administration
- 44. Other exclusions

Chapter IX

Sending Dematerialised Instructions

The activities

- 45. Sending dematerialised instructions

Exclusions

- 46. Instructions on behalf of participating issuers
- 47. Instructions on behalf of settlement banks
- 48. Instructions in connection with takeover offers
- 49. Instructions in the course of providing a network
- 50. Other exclusions

Chapter X

Collective Investment Schemes

The activities

- 51. Establishing etc. a collective investment scheme

Chapter XI

Stakeholder Pension Schemes

The activities

- 52. Establishing etc. a stakeholder pension scheme

Chapter XII

Advising on Investments

Status: Point in time view as at 05/06/2002.

Changes to legislation: The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 is up to date with all changes known to be in force on or before 23 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)

The activity

53. Advising on investments

Exclusions

54. Advice given in newspapers etc.
55. Other exclusions

Chapter XIII

Lloyd's

The activities

56. Advice on syndicate participation at Lloyd's
57. Managing the underwriting capacity of a Lloyd's syndicate
58. Arranging deals in contracts of insurance written at Lloyd's

Chapter XIV

Funeral Plan Contracts

The activity

59. Funeral plan contracts

Exclusion

60. Plans covered by insurance or trust arrangements

Chapter XV

Regulated Mortgage Contracts

The activities

61. Regulated mortgage contracts

Exclusions

62. Arranging administration by authorised person
63. Administration pursuant to agreement with authorised person

Chapter XVI

Agreeing to Carry on Activities

The activity

64. Agreeing to carry on specified kinds of activity

Exclusion

65. Overseas persons

Status: Point in time view as at 05/06/2002.

Changes to legislation: The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 is up to date with all changes known to be in force on or before 23 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)

Chapter XVII

Exclusions Applying to Several Specified Kinds of Activity

66. Trustees, nominees and personal representatives
67. Activities carried on in the course of a profession or non-investment business
68. Activities carried on in connection with the sale of goods or supply of services
69. Groups and joint enterprises
70. Activities carried on in connection with the sale of a body corporate
71. Activities carried on in connection with employee share schemes
72. Overseas persons

PART III

SPECIFIED INVESTMENTS

73. Investments: general
74. Deposits
- 74A. Electronic money
75. Contracts of insurance
76. Shares etc.
77. Instruments creating or acknowledging indebtedness
78. Government and public securities
79. Instruments giving entitlements to investments
80. Certificates representing certain securities
81. Units in a collective investment scheme
82. Rights under a stakeholder pension scheme
83. Options
84. Futures
85. Contracts for differences etc.
86. Lloyd's syndicate capacity and syndicate membership
87. Funeral plan contracts
88. Regulated mortgage contracts
89. Rights to or interests in investments

PART IV

CONSEQUENTIAL PROVISIONS

Regulated mortgage contracts: consequential provisions

90. Consequential amendments of the Consumer Credit Act 1974
 91. Consequential amendments of subordinate legislation under the Consumer Credit Act 1974
- Signature

SCHEDULE 1 — CONTRACTS OF INSURANCE

PART I — CONTRACTS OF GENERAL INSURANCE

1. Accident
2. Sickness
3. Land vehicles

Changes to legislation: The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 is up to date with all changes known to be in force on or before 23 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)

4. Railway rolling stock
5. Aircraft
6. Ships
7. Goods in transit
8. Fire and natural forces
9. Damage to property
10. Motor vehicle liability
11. Aircraft liability
12. Liability of ships
13. General liability
14. Credit
15. Suretyship
16. Miscellaneous financial loss
17. Legal expenses
18. Assistance

PART II — CONTRACTS OF LONG-TERM INSURANCE

- I Life and annuity
- II Marriage and birth
- III Linked long term
- IV Permanent health
- V Tontines
- VI Capital redemption contracts
- VII Pension fund management
- VIII Collective insurance etc.
- IX Social insurance

SCHEDULE 2 — ANNEX TO THE INVESTMENT SERVICES DIRECTIVE

SCHEDULE 3 — ARTICLE 2.2 OF THE INVESTMENT SERVICES DIRECTIVE

Explanatory Note

Status:

Point in time view as at 05/06/2002.

Changes to legislation:

The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 is up to date with all changes known to be in force on or before 23 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.