

Status: Point in time view as at 01/01/2019.

Changes to legislation: The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001, PART I is up to date with all changes known to be in force on or before 06 July 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)

[^{F1}SCHEDULE 2

SECTIONS A AND C OF ANNEX I TO THE MARKETS IN FINANCIAL INSTRUMENTS DIRECTIVE AND RELATED [^{F1}EU] SUBORDINATE LEGISLATION

Textual Amendments

- F1** Sch. 2 substituted (1.4.2007 for specified purposes, 1.11.2007 in so far as not already in force) by [The Financial Services and Markets Act 2000 \(Regulated Activities\) \(Amendment No. 3\) Order 2006 \(S.I. 2006/3384\)](#), arts. 1(2), **29**
- F1** Word in Sch. 2 heading substituted (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), **10(2)**

PART 1

SECTION C OF ANNEX I TO THE MARKETS IN FINANCIAL INSTRUMENTS DIRECTIVE

“Financial instruments

1. Transferable securities;
2. Money-market instruments;
3. Units in collective investment undertakings;
4. Options, futures, swaps, forward rate agreements and any other derivative contracts relating to securities, currencies, interest rates or yields, [^{F2}emission allowances] or other derivatives instruments, financial indices or financial measures which may be settled physically or in cash;

Textual Amendments

- F2** Words in Sch. 2 Pt. 1 para. 4 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), **10(3)(a)**

5. Options, futures, swaps, [^{F3}forwards] and any other derivative contracts relating to commodities that must be settled in cash or may be settled in cash at the option of one of the parties (^{F4}other] than by reason of a default or other termination event);

Textual Amendments

- F3** Word in Sch. 2 Pt. 1 para. 5 substituted (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), **10(3)(b)(i)**
- F4** Word in Sch. 2 Pt. 1 para. 5 substituted (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), **10(3)(b)(ii)**

Status: Point in time view as at 01/01/2019.

Changes to legislation: The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001, PART I is up to date with all changes known to be in force on or before 06 July 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)

6. Options, futures, swaps, and any other derivative [^{F5}contract] relating to commodities that can be physically settled provided that they are traded on a regulated market [^{F6}, an MTF, or an OTF, except for wholesale energy products traded on an OTF that must be physically settled];

Textual Amendments

- F5** Word in Sch. 2 Pt. 1 para. 6 substituted (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), **10(3)(c)(i)**
- F6** Words in Sch. 2 Pt. 1 para. 6 substituted (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), **10(3)(c)(ii)**

[^{F7}7. Option, futures, swaps, forwards and any other derivative contracts relating to commodities, that can be physically settled not otherwise mentioned in point 6 of this Section and not being for commercial purposes, which have the characteristics of other derivative financial instruments;]

Textual Amendments

- F7** Sch. 2 Pt. 1 para. 7 substituted (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), **10(3)(d)**

8. Derivative instruments for the transfer of credit risk;
9. Financial contracts for differences;

[^{F8}10. Options, futures, swaps, forward rate agreements and any other derivative contracts relating to climatic variables, freight rates or inflation rates or other official economic statistics that must be settled in cash or may be settled in cash at the option of one of the parties other than by reason of default or other termination event, as well as any other derivative contracts relating to assets, rights, obligations, indices and measures not otherwise mentioned in this Section, which have the characteristics of other derivative financial instruments, having regard to whether, inter alia, they are traded on a regulated market, OTF, or an MTF;]

Textual Amendments

- F8** Sch. 2 Pt. 1 para. 10 substituted (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), **10(3)(e)**

[^{F9}11. Emission allowances consisting of any units recognised for compliance with the requirements of [Directive 2003/87/EC](#) (Emissions Trading Scheme).]

Status: Point in time view as at 01/01/2019.

Changes to legislation: The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001, PART I is up to date with all changes known to be in force on or before 06 July 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)

Textual Amendments

- F9** Sch. 2 Pt. 1 para. 11 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), **10(3)(f)**

Status:

Point in time view as at 01/01/2019.

Changes to legislation:

The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001, PART1 is up to date with all changes known to be in force on or before 06 July 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.