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STATUTORY INSTRUMENTS

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**2003 No. 1476**

**The Financial Services and Markets Act 2000  
(Regulated Activities) (Amendment) (No. 2) Order 2003**

**PART 2**

**AMENDMENTS TO THE PRINCIPAL ORDER**

**Exclusions applying to several activities**

- 10.**—(1) In article 66 (trustees, nominees and personal representatives)(1)—
- (a) after paragraph (3), insert—

“(3A) Subject to paragraph (7), there is excluded from article 39A any activity carried on by a person acting as trustee or personal representative, unless he holds himself out as providing a service comprising an activity of the kind specified by article 39A.”; and
  - (b) in paragraph (7), after “(3)”, insert “, (3A)”.
- (2) In article 67 (activities carried on in the course of a profession or non-investment business)(2), for “40”, substitute “39A, 40”.
- (3) In article 68 (activities carried on in connection with the sale of goods or supply of services)(3)—
- (a) in paragraph (1), in the definition of “supplier”, after “37”, insert “, 39A”;
  - (b) in paragraph (9), for “qualifying contract of insurance”, substitute “contract of insurance”; and
  - (c) in paragraph (11), for “qualifying contract of insurance”, substitute “contract of insurance”.
- (4) In article 69 (groups and joint enterprises)(4), after paragraph (9), insert—
- “(10) Paragraph (2) does not apply to a transaction for the sale or purchase of a contract of insurance.
  - (11) Paragraph (4) does not apply to arrangements for, or with a view to, a transaction for the sale or purchase of a contract of insurance.
  - (12) Paragraph (9) does not apply where the advice relates to a transaction for the sale or purchase of a contract of insurance.”.
- (5) In article 70 (activities carried on in connection with the sale of a body corporate), after paragraph (6), insert—
- “(7) Paragraphs (4), (5) and (6) do not apply in the case of a transaction for the sale or purchase of a contract of insurance.”.

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(1) Amended by [S.I. 2003/1475](#).

(2) Amended by [S.I. 2001/3544](#) and [S.I. 2003/1475](#).

(3) Amended by [S.I. 2001/3544](#).

(4) Amended by [S.I. 2002/682](#).

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**Changes to legislation:** There are currently no known outstanding effects for the The Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) (No. 2) Order 2003, Section 10. (See end of Document for details)

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(6) In article 72 (overseas persons)(5), in paragraph (6), after “37”, insert “, 39A”.

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**Commencement Information**

**II** [Art. 10](#) in force at 31.10.2004 for specified purposes and 14.1.2005 otherwise, see [art. 1\(3\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) (No. 2) Order 2003, Section 10.