

2007 No. 1090

CONSUMER PROTECTION, ENGLAND AND WALES

**The Compensation (Exemptions) (Amendment) (No.1)
Order 2007**

<i>Made</i> - - - -	<i>29th March 2007</i>
<i>Laid before Parliament</i>	<i>30th March 2007</i>
<i>Coming into force</i> - -	<i>23rd April 2007</i>

The Secretary of State makes this Order in exercise of the powers conferred by section 6 of the Compensation Act 2006(a).

Citation

1. This Order may be cited as the Compensation (Exemptions) (Amendment) (No.1) Order 2007.

Commencement

2. This Order comes into force on 23rd April 2007.

Amendment of the Compensation (Exemptions) Order 2007

3. After article 12 of the Compensation (Exemptions) Order 2007(b), insert—

“Exemption for claims in certain circumstances

13. Section 4(1) of the Act does not prevent the provision of a regulated claims management service in the circumstances that—

- (a) a claim has been made by a person (“the claimant”) against another person (“the defendant”); and
- (b) the service is provided to the defendant in connection with—
 - (i) the making of a counterclaim against the claimant arising out of the same set of facts as the claim referred to in sub-paragraph (a); or
 - (ii) the making of a claim against a third party (whether for contribution, as a subrogated claim, or otherwise) which is incidental to, or consequent on, the claim referred to in sub-paragraph (a).”.

(a) 2006 c. 29.
(b) S.I. 2007/209.

Signed by the authority of the Secretary of State

29th March 2007

Bridget Prentice,
Parliamentary Under Secretary of State
Department

EXPLANATORY NOTE

(This note is not part of the Order)

The Compensation Act 2006 (“the Act”) prevents the provision of regulated claims management services other than by persons who are authorised to do so, are not acting in the course of a business, or are exempted by order (see the Act, s. 4(1)(b) and (d)). An exemption may be of a person or class or person, or by reference to the circumstances in which such a service is provided. The Compensation (Exemptions) Order 2006 (“the principal Order”) sets out certain classes of persons that are exempted. After the principal Order was made, certain circumstances were identified in which the provision of regulated claims management services warranted exemption. This Order amends the principal Order to exempt regulated claims management services provided in those circumstances.

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