

SCHEDULE 3

Regulations 2(2) and 6(1)(a)

Excepted contracts

1. A contract for the construction, sale or rental of immovable property or a contract concerning other rights relating to immovable property other than—
 - (a) a contract for the construction of extensions, patios, conservatories or driveways;
 - (b) a contract for the supply of goods and their incorporation in immovable property; and
 - (c) a contract for the repair, refurbishment or improvement of immovable property.
2. A contract for the supply of foodstuffs or beverages or other goods intended for current consumption in the household and supplied by a regular roundsman.
3. A contract for the supply of goods or services provided that each of the following conditions is met:
 - (a) the contract is concluded on the basis of a trader's catalogue which the consumer has a proper opportunity of reading in the absence of the trader's representative;
 - (b) there is intended to be continuity of contact between the trader's representative and the consumer in relation to that or any subsequent transaction; and
 - (c) both the catalogue and the contract contain a prominent notice informing the consumer of his rights to return goods to the supplier within a period of not less than seven days of receipt or otherwise to cancel the contract within that period without obligation of any kind other than to take reasonable care of the goods.
4. A contract of insurance.
5. Any contract under which credit within the meaning of the 1974 Act is provided not exceeding £35 other than a hire purchase or conditional sale agreement.
6. Any contract not falling within paragraph 5 under which the total payments to be made by the consumer do not exceed £35.
7. Any agreement the making or performance of which by either party constitutes a relevant regulated activity.
- 8.—(1) For the purposes of paragraph 7—
 - (a) "a relevant regulated activity" means an activity of the following kind—
 - (i) dealing in investments, as principal or as agent;
 - (ii) arranging deals in investments;
 - (iii) operating a multilateral trading facility;
 - (iv) managing investments;
 - (v) safeguarding and administering investments;
 - (vi) establishing, operating or winding up a collective investment scheme; and
 - (b) for these purposes "investment" means—
 - (i) shares;
 - (ii) instruments creating or acknowledging indebtedness;
 - (iii) instruments giving entitlement to investments
 - (iv) certificates representing securities;
 - (v) units in a collective investment scheme;
 - (vi) options;

Status: This is the original version (as it was originally made).

- (vii) futures;
- (viii) contracts for differences; and
- (ix) rights to or interests in investments.

(2) Paragraph 7 and this paragraph must be read with—

- (a) section 22 of the Financial Services and Markets Act 2000;
- (b) any relevant order under that section; and
- (c) Schedule 2 to that Act,

but any restriction on or exclusion from the meaning of a regulated activity for the purposes of paragraph 7 which arises from the identity of the person carrying on such activity is to be disregarded.