
Status: Point in time view as at 26/07/2013.
Changes to legislation: *The Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) (No.2) Order 2013 is up to date with all changes known to be in force on or before 12 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

2013 No. 1881

FINANCIAL SERVICES AND MARKETS

The Financial Services and Markets Act 2000
(Regulated Activities) (Amendment) (No.2) Order 2013

Made - - - - 25th July 2013

Coming into force in accordance with article 1

THE FINANCIAL SERVICES AND MARKETS ACT 2000
(REGULATED ACTIVITIES) (AMENDMENT) (NO.2) ORDER 2013

PART 1

Introduction

1. Citation, commencement and interpretation

PART 2

Amendments of the Regulated Activities Order

2. Amendments of the Regulated Activities Order
3. Definitions etc.
4. Credit broking etc.
5. Activities relating to debt
6. Entering into etc. a regulated credit agreement
7. The investments
8. Provision of credit information services
9. Other amendments

PART 3

Amendments of the Act etc.

10. Amendments of the Act
11. Transitional and savings provisions related to article 10
12. Obligations of certain credit brokers who are not authorised persons

Status: Point in time view as at 26/07/2013.

Changes to legislation: The Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) (No.2) Order 2013 is up to date with all changes known to be in force on or before 12 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)

PART 4

Amendments of secondary legislation made under the Act

13. The Financial Services and Markets Act 2000 (Carrying on Regulated Activities By Way of Business) Order 2001
14. The Financial Services and Markets Act 2000 (Exemption) Order 2001
15. The Financial Services and Markets Act 2000 (Appointed Representatives) Regulations 2001
16. The Financial Services and Markets Act 2000 (Rights of Action) Regulations 2001
17. The Financial Services and Markets Act 2000 (Financial Promotion) Order 2005
18. The Financial Services and Markets Act 2000 (Ombudsman Scheme) (Consumer Credit Jurisdiction) Order 2007
19. The Financial Services and Markets Act 2000 (Controllers) (Exemption) Order 2009

PART 5

Amendments of the Consumer Credit Act 1974 etc.

20. Amendments of the 1974 Act

PART 6

Amendments to secondary legislation made under the 1974 Act

21. Revocation of secondary legislation made under the 1974 Act
22. Saving provision related to article 21
23. The Consumer Credit (Agreements) Regulations 1983
24. The Consumer Credit (Early Settlement) Regulations 2004
25. The Consumer Credit (Information Requirements and Duration of Licences and Charges) Regulations 2007
26. The Consumer Credit (Disclosure of Information) Regulations 2010
27. The Consumer Credit (Agreements) Regulations 2010

PART 7

Consequential amendments and transitional provisions

28. Consequential amendments to other legislation etc.

PART 8

Transitional provisions

CHAPTER 1

Interpretation

29. Interpretation of Part 8

Status: Point in time view as at 26/07/2013.

Changes to legislation: The Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) (No.2) Order 2013 is up to date with all changes known to be in force on or before 12 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 2

Licensing etc.

30. Meaning of “relevant person” in Chapter 2
31. Applications for a standard licence where no determination made before 1st April 2014
32. Applications for a standard licence where determination has been made but appeal period has not ended
33. Variation of licence at request of licensee where no determination made before 1st April 2014
34. Variation of licence at request of licensee where determination has been made but appeal period has not ended
35. Compulsory variation of a licence where no determination to vary made before 1st April 2014
36. Compulsory variation of a licence where determination to vary made before 1st April 2014
37. Revocation etc. of licence where no determination made before 1st April 2014
38. Revocation etc. of licence where determination made before 1st April 2014
39. Suspension of licence where determination made before 1st April 2014 but not confirmed
40. Suspension of licence where determination made before 1st April 2014 and confirmed
41. Imposition of requirements etc. where no determination made before 1st April 2014
42. Imposition of requirements etc. where determination made but appeal period has not ended
43. Failure to comply with information requirement
44. Civil penalties – where no determination made before 1st April 2014
45. Civil penalties – where determination made but appeal period has not ended
46. Civil penalties – where determination made before 1st April 2014 and penalty due
47. Civil penalties – where no formal action taken before 1st April 2014
48. Enforcement of agreements made by unlicensed trader
49. Offences committed under the 1974 Act before 1st April 2014
50. Information and investigation powers
51. Applications made to the OFT which have not been determined by 1st April 2014
52. Decision notices
53. Waivers

CHAPTER 3

Appeals

54. Appeals – where steps taken before 1st April 2014
55. Appeals – where no steps taken before 1st April 2014

Status: Point in time view as at 26/07/2013.

Changes to legislation: The Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) (No.2) Order 2013 is up to date with all changes known to be in force on or before 12 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 4

Permission etc.

56. Interim permission
57. Procedure for notifying FCA
58. Duration of interim permission
59. Application of the Act to persons with an interim permission
60. Grandfathered permission for certain debt-counsellors

CHAPTER 5

Rules and guidance

61. Credit-related rules and guidance made by the FCA
62. Credit-related rules made by the PRA
63. Designation of provisions made under the 1974 Act
64. Designating instruments

CHAPTER 6

Miscellaneous

65. Definition of “consumers”
66. Information sharing
Signature

SCHEDULE —

PART 1 — Amendments of other Acts of Parliament

1. Companies Act 1985
 2. Courts and Legal Services Act 1990
 3. Agriculture and Forestry (Financial Provisions) Act 1991
 4. Tribunals and Inquiries Act 1992
 5. Railways Act 1993
 6. Teaching and Higher Education Act 1998
 7. Criminal Justice and Police Act 2001
 8. Proceeds of Crime Act 2002
 9. Income Tax (Earnings and Pensions) Act 2003
 10. Consumer Credit Act 2006
 11. Companies Act 2006
 12. Income Tax Act 2007
 13. Legal Services Act 2007
 14. Sale of Student Loans Act 2008
 15. Counter-Terrorism Act 2008
 16. Corporation Tax Act 2009
 17. Energy Act 2011
- ### PART 2 — Amendments of secondary legislation etc.
18. The Estate Agents (Specified Offences) (No. 2) Order 1991
 19. The Education (Student Loans) Regulations (Northern Ireland) 1998
 20. The Education (Student Loans) Regulations 1998
 21. The Education (Student Support) (Northern Ireland) Order 1998

Status: Point in time view as at 26/07/2013.

Changes to legislation: The Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) (No.2) Order 2013 is up to date with all changes known to be in force on or before 12 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)

22. The Representation of the People (England and Wales) Regulations 2001
23. The Representation of the People (Scotland) Regulations 2001
24. The Education (Student Support) Regulations (Northern Ireland) 2002
25. The High Court Enforcement Officers Regulations 2004
26. The Financial Services (Distance Marketing) Regulations 2004
27. The Gender Recognition (Disclosure of Information) (England, Wales and Northern Ireland) (No 2) Order 2005
28. The Gender Recognition (Disclosure of Information) (Scotland) Order 2005
29. The Education (Student Loans for Tuition Fees) (Scotland) Regulations 2006
30. The Education (Student Loans) (Scotland) Regulations 2007
31. The Money Laundering Regulations 2007
32. Transitional provision in relation to the Money Laundering Regulations 2007
33. The Administrative Justice and Tribunals Council (Listed Tribunals) Order 2007
34. The Graduate Endowment (Scotland) Regulations 2008
35. The Supply of Information (Register of Deaths) (England and Wales) Order 2008
36. The Supply of Information (Register of Deaths) (Northern Ireland) Order 2008
37. The Representation of the People (Northern Ireland) Regulations 2008
38. The Cancellation of Contracts made in a Consumer's Home or Place of Work etc. Regulations 2008
39. The Education (Student Loans) (Repayment) Regulations (Northern Ireland) 2009
40. The Payment Services Regulations 2009
41. The Education (Student Loans) (Repayment) Regulations 2009
42. The Electronic Money Regulations 2011
43. The Debt Arrangement Scheme (Scotland) Regulations 2011
44. The Green Deal Framework (Disclosure, Acknowledgement, Redress etc.) Regulations 2012
45. The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013
- PART 3 — Amendments of other legislation
46. The Housing (Scotland) Act 2006

Explanatory Note

Status:

Point in time view as at 26/07/2013.

Changes to legislation:

The Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) (No.2) Order 2013 is up to date with all changes known to be in force on or before 12 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.