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STATUTORY INSTRUMENTS

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**2018 No. 546**

**The Insurance Distribution (Regulated Activities  
and Miscellaneous Amendments) Order 2018**

**PART 2**

**Amendments to the principal Order**

**Unauthorised persons carrying on insurance distribution activities**

7.—(1) Part 5 (unauthorised persons carrying on insurance mediation activities)<sup>(1)</sup> is amended as follows.

(2) In the heading, for “MEDIATION”, substitute “DISTRIBUTION”.

(3) In article 92 (interpretation), in the definition of “insurance mediation activity”, for “mediation”, substitute “distribution”.

(4) In article 93 (duty to maintain a record of persons carrying on insurance mediation activities)

—  
(a) for “mediation”, in each place it occurs (including in the heading), substitute “distribution”; and

(b) after paragraph (3), insert—

“(3A) An application for inclusion in the record made by a person who falls within paragraph (2) or (3) must be determined by the FCA before the end of the period of 3 months beginning with the date on which it received the completed application.

“(3B) A notification by a designated professional body in accordance with article 94 is to be treated as an application for inclusion in the record for the purposes of paragraph (3A).”.

(5) In article 94 (members of designated professional bodies) for “mediation”, in each place it occurs, substitute “distribution”.

(6) In article 95 (exclusion from record where not fit and proper to carry on insurance mediation activities)—

(a) in the heading, and in paragraph (1), for “mediation”, substitute “distribution”; and

(b) after paragraph (1) insert—

“(1A) In making a determination as to whether a person is a fit and proper person for the purposes of paragraph (1), the FCA must consider whether the relevant registration conditions under Article 3 of the insurance distribution directive are met.”.

(7) In article 96 (exclusion from the record where FCA has exercised its powers under Part 20 of the Act), in paragraphs (2) and (3), for “mediation”, substitute “distribution”.

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(1) Part 5 was inserted by [S.I. 2003/1476](#) and amended by [S.I. 2013/472](#).