
STATUTORY INSTRUMENTS

1995 No. 1266

**The Financial Services Act 1986 (Investment
Advertisements) (Exemptions) Order 1995**

Sale of goods and supply of services

9.—(1) For the purposes of this article—

- (a) the expressions “supplier” and “related sale or supply” shall be construed in accordance with paragraph 19 of Schedule 1 to the Act and the expression “customer” shall also be construed in accordance with that paragraph except that it shall be construed as excluding references to an individual; and
- (b) a group shall be treated as including any body corporate in which a member of the group holds a qualifying capital interest within the meaning of paragraph 30 of Schedule 1 to the Act.

(2) Subject to paragraph (3) below, section 57 of the Act shall not apply to an investment advertisement issued or caused to be issued by a supplier or a body corporate in the same group as a supplier to a customer or a body corporate in the same group as a customer if the only reason why the advertisement would be subject to the provisions of section 57 of the Act is because it contains an invitation or information of the kind described in section 57(2) of the Act which is made or given for the purposes of or in connection with the supplier selling or offering or agreeing to sell goods to the customer or supplying or offering or agreeing to supply him with services or is given for the purposes of or in connection with a related sale or supply provided that the supplier’s main business is to supply goods or services and not to engage in activities falling within Part II of Schedule 1 to the Act.

(3) This article shall not apply to an advertisement which contains an invitation or information with respect to an investment falling within paragraph 6 or 10 of Schedule 1 to the Act or, so far as relevant to either of those paragraphs, paragraph 11 of that Schedule.