
STATUTORY INSTRUMENTS

2003 No. 1475

**The Financial Services and Markets Act 2000
(Regulated Activities) (Amendment) (No. 1) Order 2003**

PART 4

**AMENDMENTS TO OTHER INSTRUMENTS MADE UNDER
THE FINANCIAL SERVICES AND MARKETS ACT 2000**

Amendment to the Financial Services and Markets Act 2000 (Professions) (Non-Exempt Activities) Order 2001

24.—(1) The Financial Services and Markets Act 2000 (Professions) (Non-Exempt Activities) Order 2001(1) is amended as follows.

- (2) The existing article 6A(2) is renumbered as article 6B.
- (3) After article 6 insert—

“**6A.**—(1) An activity of the kind specified by article 53A of the Regulated Activities Order (advising on regulated mortgage contracts) where the advice in question falls within paragraph (2).

(2) Subject to paragraph (3), advice falls within this paragraph in so far as—

- (a) it consists of a recommendation, given to an individual, to enter as borrower into a regulated mortgage contract with a particular person; and
- (b) in entering into a regulated mortgage contract that person would be carrying on an activity of the kind specified by article 61(1) of the Regulated Activities Order (regulated mortgage contracts).

(3) Advice does not fall within paragraph (2) if it endorses a corresponding recommendation given to the individual by an authorised person with permission to carry on an activity of the kind specified by article 53A of the Regulated Activities Order or a person who is an exempt person in relation to an activity of that kind.”.

(1) S.I.2001/1227, as amended by S.I. 2001/3650, S.I. 2002/682 and S.I. 2002/1777.

(2) Article 6A was inserted by S.I. 2001/3650, article 3.