
STATUTORY INSTRUMENTS

2006 No. 2383

**The Financial Services and Markets Act 2000
(Regulated Activities) (Amendment) (No.2) Order 2006**

PART 3

AMENDMENTS OF PRIMARY LEGISLATION

Amendments of the Consumer Credit Act 1974

- 25.**—(1) The Consumer Credit Act 1974(1) is amended as follows.
- (2) In section 16 (exempt agreements)—
- (a) for subsection (6C) substitute—
- “(6C) This Act does not regulate a consumer credit agreement if—
- (a) it is secured by a land mortgage and entering into the agreement as lender is a regulated activity for the purposes of the Financial Services and Markets Act 2000; or
- (b) it is or forms part of a regulated home purchase plan and entering into the agreement as home purchase provider is a regulated activity for the purposes of that Act.”;
- (b) in subsection (6D) for “subsection (6C)” substitute “subsection (6C)(a)”.
- (3) In section 53 (duty to display information) for “section 16(6C)” substitute “section 16(6C)(a)”.
- (4) In section 146 (exceptions from section 145)—
- (a) in subsection (5A)—
- (i) for paragraph (a) substitute—
- “(a) to an authorised person, within the meaning of the 2000 Act, who has permission under that Act to enter into a relevant agreement as lender or home purchase provider (as the case may be); or”;
- (ii) for “a relevant agreement” substitute “the relevant agreement”;
- (b) in subsection (5D)—
- (i) for the definition of “relevant agreement” substitute—
- ““relevant agreement” means an agreement which—
- (a) is secured by a land mortgage, or
- (b) is or forms part of a regulated home purchase plan,

(1) 1974 c. 39; sections 16 and 53 were amended by [S.I. 2001/544](#); section 146 was amended by [S.I. 2003/1475](#) and [S.I. 2005/2967](#); there are other amending instruments but none is relevant.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- but only if entering into the agreement as lender or home purchase provider (as the case may be) is a regulated activity for the purposes of the 2000 Act.”;
- (ii) after “and references to “regulated activities”” insert “, “regulated home purchase plan” and “home purchase provider””.