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## STATUTORY INSTRUMENTS

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# 2013 No. 1881

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

### PART 8

#### Transitional provisions

#### CHAPTER 6

#### Miscellaneous

#### Definition of “consumers”

**65.—**(1) For the purposes of the provisions listed in paragraph (3), “consumers” includes persons—

- (a) who before 1st April 2014 used a relevant credit service,
  - (b) who have rights or interests which are derived from, or are otherwise attributable to, the use of any such services by other persons, or
  - (c) who have rights or interests which may be adversely affected by the use of any such services by persons acting on their behalf or in a fiduciary capacity in relation to them.
- (2) For the purposes of paragraph (1), “relevant credit services” are services provided—
- (i) by a person who held or was covered by a licence under the 1974 Act, or
  - (ii) in carrying on a consumer credit business or an ancillary credit business (in each case, within the meaning of the 1974 Act).
- (3) The provisions are—
- (a) section 1G of the Act <sup>M1</sup> (meaning of consumer);
  - (b) section 1Q of the Act (Consumer Panel);
  - (c) section 391(6)(b) of the Act <sup>M2</sup> (publication);
  - (d) section 68 of the Financial Services Act 2012 (cases in which Treasury may arrange independent inquiries).
- (4) For the purposes of this article—
- (a) where a person provided a service mentioned in paragraph (1) as a trustee, the persons who are, have been or may be beneficiaries of the trust are to be treated as persons who use, have used or may use the service;
  - (b) a person who deals, or dealt, with another person (“A”) in the course of A providing a service mentioned in paragraph (1) is to be treated as using, or having used, the service.

#### Marginal Citations

**M1** [Section 1G](#) was inserted by the Financial Services Act 2012, section 6.

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**Changes to legislation:** *The Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) (No.2) Order 2013, Section 65 is up to date with all changes known to be in force on or before 27 December 2023. 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) View outstanding changes*

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**M2** [Section 391\(6\)](#) was substituted by the Financial Services Act 2012, Schedule 9, paragraph 30(6).

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

- Order revoked by [2023 c. 29 Sch. 1 Pt. 2](#)