
STATUTORY INSTRUMENTS

2018 No. 1253

The Financial Services and Markets Act 2000
(Claims Management Activity) Order 2018

PART 6

Consequential amendments, revocations and saving and supplemental provisions

CHAPTER 2

Amendment of secondary legislation

**Financial Services and Markets Act 2000 (Disclosure of Confidential Information)
Regulations 2001**

99.—(1) The Financial Services and Markets Act 2000 (Disclosure of Confidential Information) Regulations 2001(1) are amended as follows.

(2) In Schedule 1 (disclosure of confidential information whether or not subject to single market restrictions), in Part 1 at the end insert—

<i>“Person</i>	<i>Functions</i>
The Information Commissioner	All functions of that person so far as they are exercisable in relation to the provision of claims management services (within the meaning given in regulation 21A of the Privacy and Electronic Communications (EC Directive) Regulations 2003(2))
The General Council of the Bar	(a) Its functions under arrangements which it has, or rules which it makes, in compliance with section 30(4) of the Financial Guidance and Claims Act 2018 (as applied by section 32(2) of that Act), for monitoring and enforcing the prohibitions in section 32(1) of that Act (b) Its functions under rules which it makes in compliance with section 33(1) of that Act
The Law Society of England and Wales	(a) Its functions under arrangements which it has, or rules which it makes, in compliance with section 30(4) of the Financial Guidance and Claims Act 2018 (as applied by section 32(2) of that Act), for monitoring and enforcing the prohibitions in section 32(1) of that Act

(1) [S.I. 2001/2188](#), as amended by [S.I. 2009/2877](#) and [2012/916](#). There are other amendments, but they are not relevant.
(2) [S.I. 2003/2426](#). Regulation 21A was inserted by the Financial Guidance and Claims Act 2018, section 35.

Status: This is the original version (as it was originally made).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

<i>“Person</i>	<i>Functions</i>
The Chartered Institute of Legal Executives	<p>(b) Its functions under rules which it makes in compliance with section 33(1) of that Act</p> <p>(a) Its functions under arrangements which it has, or rules which it makes, in compliance with section 30(4) of the Financial Guidance and Claims Act 2018 (as applied by section 32(2) of that Act), for monitoring and enforcing the prohibitions in section 32(1) of that Act</p> <p>(b) Its functions under rules which it makes in compliance with section 33(1) of that Act”.</p>

(3) In Schedule 2 (disclosure of confidential information not subject to single market restrictions) omit the entry relating to a person specified in the first column as “The Claims Management Regulator”.

Legislative and Regulatory Reform (Regulatory Functions) Order 2007

100. In the Legislative and Regulatory Reform (Regulatory Functions) Order 2007⁽³⁾, in Part 2 of the Schedule omit the heading “Claims Management Services” and the entry “Part 2 of the Compensation Act 2006”.

Legal Services Act 2007 (Disclosure of Restricted Information) Order 2011

101. In the Legal Services Act 2007 (Disclosure of Restricted Information) Order 2011⁽⁴⁾, in Schedule 1 (list of persons to whom information may be disclosed) omit “The Claims Management Regulator”.

Damages-Based Agreements Regulations 2013

102. In the Damages-Based Agreements Regulations 2013⁽⁵⁾, in regulation 1(2) (interpretation), in the definition of “client”, for “section 4(2)(b) of the Compensation Act 2006” substitute “section 419A of the Financial Services and Markets Act 2000”.

Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Referral Fees) Regulations 2013

103. In the Schedule to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Referral Fees) Regulations 2013⁽⁶⁾ (meaning of referral fees authorised person), in paragraph 3 insert at the end—

“(h) a regulated claims management activity (within the meaning given by section 417(1) of the 2000 Act (definitions)).”.

⁽³⁾ [S.I. 2007/3544](#), as amended by [S.I. 2014/860](#).

⁽⁴⁾ [S.I. 2011/122](#).

⁽⁵⁾ [S.I. 2013/609](#).

⁽⁶⁾ [S.I. 2013/1635](#).

Economic Growth (Regulatory Functions) Order 2017

104. In the Economic Growth (Regulatory Functions) Order 2017(7), in Part 3 of the Schedule, for the entry under the heading “Claims Management Services” substitute “Part 2 of the Financial Guidance and Claims Act 2018(8) (Claims Management Services)”.

(7) S.I. 2017/267.
(8) 2018 c. 10.