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STATUTORY INSTRUMENTS

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**2019 No. 632**

**The Financial Services and Markets Act 2000  
(Amendment) (EU Exit) Regulations 2019**

**PART 3**

**Amendments to the Financial Services and Markets  
Act 2000 (Regulated Activities) Order 2001**

**Article 85 (contracts for differences etc)**

**158.**—(1) Article 85 (contracts for differences etc) is amended as follows.

(2) In paragraph (3)(b)(1), for “Section C of Annex I to the markets in financial instruments directive” substitute “Part 1 of Schedule 2”.

(3) In paragraphs (4)(2) and (4B)(3), for sub-paragraphs (a) to (d) substitute—

- “(a) an investment firm or qualifying credit institution is providing or performing investment services and activities on a professional basis,
- (b) a management company which has a Part 4A permission to do so is providing the investment service specified in paragraph 4 or 5 of Part 3 of Schedule 2 or the ancillary service specified in paragraph 1 of Part 3A of that Schedule,
- (c) a market operator is providing the investment service specified in paragraph 8 or 9 of Part 3 of that Schedule,
- (d) a full-scope UK AIFM which has a Part 4A permission to do so is providing the investment service specified in paragraph 1, 4 or 5 of Part 3 of that Schedule or the ancillary service specified in paragraph 1 of Part 3A of that Schedule.”.

(4) In paragraph (4A)(c)(4)—

- (a) for “Section C of Annex I to the markets in financial instruments directive” substitute “Part 1 of Schedule 2”;
- (b) for “the texts of which are set out in Parts 1 and 2 of Schedule 2” substitute “the text of which is set out in Part 2 of Schedule 2”.

(5) Omit paragraph (5)(5).

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(1) Paragraph (3) was inserted by [S.I. 2006/3384](#).

(2) Paragraph (4) was inserted by [S.I. 2006/3384](#) and was amended by [S.I. 2017/488](#).

(3) Paragraph (4B) was inserted by [S.I. 2017/488](#).

(4) Paragraph (4A) was inserted by [S.I. 2017/488](#).

(5) Paragraph (5) was inserted by [S.I. 2006/3384](#).