
DRAFT STATUTORY INSTRUMENTS

2013 No.

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

PART 2

Amendments of the Regulated Activities Order

Definitions etc.

3.—(1) In article 3(1) (interpretation)(1), insert in the appropriate places the following definitions—

“assignment”, in relation to a credit agreement, has the meaning given by article 60L;

“borrower”—

- (a) in relation to a credit agreement other than a regulated mortgage contract or an article 36H agreement (within the meaning given by article 36H), has the meaning given by article 60L;
- (b) in relation to an article 36H agreement (within the meaning given by that article) other than a regulated mortgage contract, is to be read with article 36H(4);

“consumer hire agreement” has the meaning given by article 60N;

“credit agreement” has the meaning given by article 60B;

“hire-purchase agreement” has the meaning given by article 60L;

“hirer” is to be read with the definition of “consumer hire agreement” in article 60N;

“lender”—

- (c) in relation to a credit agreement other than a regulated mortgage contract or an article 36H agreement (within the meaning given by article 36H), has the meaning given by article 60L;
- (d) in relation to an article 36H agreement (within the meaning given by that article) other than a regulated mortgage contract, is to be read with article 36H(4);

“owner”, in relation to a hire purchase agreement, has the meaning given by article 60N;

“regulated consumer hire agreement” has the meaning given by article 60N;

“regulated credit agreement” has the meaning given by article 60B;

“relevant recipient of credit” has the meaning given by article 60L;

“restricted-use credit agreement” has the meaning given in article 60L.

(2) In article 3, at the end of the definition of “deposit”, insert “except where the definition given in article 60L applies”.

(1) There are amending instruments but none is relevant to this Order.

- (3) In article 4 (specified activities: general)(**2**)—
- (a) in paragraph (1), for “section 22” substitute “section 22(1)”;
 - (b) after paragraph (2), insert—
 - “(2A) The kinds of activity specified by Part 3A are specified for the purposes of section 22(1A)(a) of the Act(**3**) (and accordingly any activity of one of those kinds, when carried on by way of business, is a regulated activity).”.

(2) Amended by S.I. 2003/1476, S.I. 2006/3384 and S.I. 2009/1389.

(3) Inserted by section 7 of the Financial Services Act 2012.