



# Compensation Act 2006

## 2006 CHAPTER 29

### PART 2

#### CLAIMS MANAGEMENT SERVICES

#### <sup>[F14]</sup> Provision of regulated claims management services

- (1) A person may not provide regulated claims management services unless—
  - (a) he is an authorised person,
  - (b) he is an exempt person,
  - (c) the requirement for authorisation has been waived in relation to him in accordance with regulations under section 9, or
  - (d) he is an individual acting otherwise than in the course of a business.
- (2) In this Part—
  - (a) “authorised person” means a person authorised by the Regulator under section 5(1)(a),
  - (b) “claims management services” means advice or other services in relation to the making of a claim,
  - (c) “claim” means a claim for compensation, restitution, repayment or any other remedy or relief in respect of loss or damage or in respect of an obligation, whether the claim is made or could be made—
    - (i) by way of legal proceedings,
    - (ii) in accordance with a scheme of regulation (whether voluntary or compulsory), or
    - (iii) in pursuance of a voluntary undertaking,
  - (d) “exempt person” has the meaning given by section 6(5), and
  - (e) services are regulated if they are—
    - (i) of a kind prescribed by order of the Secretary of State, or
    - (ii) provided in cases or circumstances of a kind prescribed by order of the Secretary of State.

*Status: Point in time view as at 29/11/2018.*

*Changes to legislation: Compensation Act 2006, Section 4 is up to date with all changes known to be in force on or before 27 July 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)*

- (3) For the purposes of this section—
- (a) a reference to the provision of services includes, in particular, a reference to—
    - (i) the provision of financial services or assistance,
    - (ii) the provision of services by way of or in relation to legal representation,
    - (iii) referring or introducing one person to another, and
    - (iv) making inquiries, and
  - (b) a person does not provide claims management services by reason only of giving, or preparing to give, evidence (whether or not expert evidence).
- (4) For the purposes of subsection (1)(d) an individual acts in the course of a business if, in particular—
- (a) he acts in the course of an employment, or
  - (b) he otherwise receives or hopes to receive money or money's worth as a result of his action.
- (5) The Secretary of State may by order provide that a claim for a specified benefit shall be treated as a claim for the purposes of this Part.
- (6) The Secretary of State may specify a benefit under subsection (5) only if it appears to him to be a United Kingdom social security benefit designed to provide compensation for industrial injury.]

#### Textual Amendments

- F1** Pt. 2 omitted (29.11.2018 for specified purposes, 1.4.2019 in so far as not already in force) by virtue of [The Financial Services and Markets Act 2000 \(Claims Management Activity\) Order 2018 \(S.I. 2018/1253\)](#), arts. 1(2)(3), **93** (with arts. 39-83, 106, 108)

#### Modifications etc. (not altering text)

- C1** S. 49(1) restricted (31.1.2007) by [The Compensation \(Exemptions\) Order 2007 \(S.I. 2007/209\)](#), **arts. 4-12**
- C2** S. 4(1) restricted (23.4.2007) by [S.I. 2007/209](#), art. 13 (as inserted by [The Compensation \(Exemptions\) \(Amendment\) \(No.1\) Order 2007 \(S.I. 2007/1090\)](#), **art. 3**)

#### Commencement Information

- I1** S. 4 wholly in force; s. 4 not in force at Royal Assent see s. 16; s. 4(2)(3)(5)(6) in force (1.12.2006) by [S.I. 2006/3005](#), **art. 3**; s. 4(1)(4) in force at 23. 4.2007 by [S.I. 2007/922](#), **art. 3**

**Status:**

Point in time view as at 29/11/2018.

**Changes to legislation:**

Compensation Act 2006, Section 4 is up to date with all changes known to be in force on or before 27 July 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.