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STATUTORY INSTRUMENTS

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**2001 No. 3649**

The Financial Services and Markets Act 2000  
(Consequential Amendments and Repeals) Order 2001

PART 7

ENACTMENTS RELATING TO SCOTLAND

CHAPTER I

primary legislation

*Adults with Incapacity (Scotland) Act 2000 (asp 4)*

**Persons capable of giving “proper advice”**

**235.**—(1) Schedule 2 to the Adults with Incapacity (Scotland) Act 2000 (management of estate of adult) is amended as follows.

(2) In paragraph 5(2), for the words “authorised to carry on investment business in the United Kingdom for the purposes of the Financial Services Act 1986 (c. 60)” substitute “who has permission for the purposes of the Financial Services and Markets Act 2000 to advise on investments”.

(3) After paragraph 5(2) insert—

“(2A) Sub-paragraph (2) must be read with—

- (a) section 22 of the Financial Services and Markets Act 2000;
- (b) any relevant order under that section; and
- (c) Schedule 2 to that Act.”.