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## STATUTORY INSTRUMENTS

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# 2001 No. 544

## The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001

### PART II

#### SPECIFIED ACTIVITIES

##### CHAPTER VI

##### ARRANGING DEALS IN INVESTMENTS

##### *Exclusions*

#### **[<sup>F1</sup>Provision of information – contracts of insurance**

**33B.**—(1) There is excluded from article 25(1) and (2) (arranging deals in investments) the making of arrangements for, or with a view to, a transaction for the sale or purchase of a contract of insurance, where that activity meets the conditions specified in paragraphs (2) and (3).

(2) The conditions specified in this paragraph are that the activity—

- (a) consists of the provision of information about a potential policyholder to a relevant insurer or an insurance or reinsurance intermediary, or
- (b) consists of the provision of information to a potential policyholder about—
  - (i) a contract of insurance, or
  - (ii) a relevant insurer or insurance or reinsurance intermediary.

(3) The condition specified in this paragraph is that the provider of the information does not take any step other than the provision of information to assist in the conclusion of a contract of insurance.

(4) In this article—

[<sup>F2</sup>“insurance intermediary” means a person other than—

- (a) an insurance or reinsurance undertaking or an employee of such an undertaking, or
- (b) an ancillary insurance intermediary,

who, for remuneration, takes up or pursues the activity of insurance distribution;]

[<sup>F3</sup>“reinsurance intermediary” means a person other than—

- (a) a reinsurance undertaking, or
- (b) an employee of a reinsurance undertaking,

who, for remuneration, takes up or pursues the activity of reinsurance distribution;]

“relevant insurer” has the meaning given in article 39B(2) (claims management on behalf of an insurer etc.).

[

**Changes to legislation:** The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001,

Section 33B is up to date with all changes known to be in force on or before 20 February 2024. 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) View outstanding changes

<sup>F4</sup>(5) In paragraph (4)—

“ancillary insurance intermediary”, “insurance distribution” and “reinsurance distribution” have the same meaning as in article 4;

“remuneration” means any commission, fee, charge or other payment, including an economic benefit of any kind or any other financial or non-financial advantage or incentive offered or given.]]

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|-----------|---|
| <b>F1</b> | Art. 33B inserted (1.10.2018) by <a href="#">The Insurance Distribution (Regulated Activities and Miscellaneous Amendments) Order 2018 (S.I. 2018/546)</a> , arts. 1(2), <b>5</b>   |
| <b>F2</b> | Words in art. 33B(4) substituted (31.12.2020) by <a href="#">The Financial Services and Markets Act 2000 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/632)</a> , regs. 1(3), <b>128(2)(a)</b> (with savings in S.I. 2019/680, reg. 11 (as amended by S.I. 2019/1212, regs. 1(3), 22(3))); 2020 c. 1, Sch. 5 para. 1(1) |
| <b>F3</b> | Words in art. 33B(4) substituted (31.12.2020) by <a href="#">The Financial Services and Markets Act 2000 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/632)</a> , regs. 1(3), <b>128(2)(b)</b> (with savings in S.I. 2019/680, reg. 11 (as amended by S.I. 2019/1212, regs. 1(3), 22(3))); 2020 c. 1, Sch. 5 para. 1(1) |
| <b>F4</b> | Art. 33B(5) inserted (31.12.2020) by <a href="#">The Financial Services and Markets Act 2000 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/632)</a> , regs. 1(3), <b>128(3)</b> (with savings in S.I. 2019/680, reg. 11 (as amended by S.I. 2019/1212, regs. 1(3), 22(3))); 2020 c. 1, Sch. 5 para. 1(1)                |

**Changes to legislation:**

The Financial Services and Markets Act 2000 (Regulated Activities) Order 2001, Section 33B is up to date with all changes known to be in force on or before 20 February 2024. 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.

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**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 3 Pt. 1 para. 2(c) words substituted by [S.I. 2023/548 art. 2\(5\)](#)