

---

STATUTORY INSTRUMENTS

---

**2003 No. 1476**

**The Financial Services and Markets Act 2000  
(Regulated Activities) (Amendment) (No. 2) Order 2003**

**PART 2**

**AMENDMENTS TO THE PRINCIPAL ORDER**

**Exclusions applying to several activities**

- 10.**—(1) In article 66 (trustees, nominees and personal representatives)(1)—
- (a) after paragraph (3), insert—

“(3A) Subject to paragraph (7), there is excluded from article 39A any activity carried on by a person acting as trustee or personal representative, unless he holds himself out as providing a service comprising an activity of the kind specified by article 39A.”; and
  - (b) in paragraph (7), after “(3)”, insert “, (3A)”.
- (2) In article 67 (activities carried on in the course of a profession or non-investment business)(2), for “40”, substitute “39A, 40”.
- (3) In article 68 (activities carried on in connection with the sale of goods or supply of services)(3)—
- (a) in paragraph (1), in the definition of “supplier”, after “37”, insert “, 39A”;
  - (b) in paragraph (9), for “qualifying contract of insurance”, substitute “contract of insurance”; and
  - (c) in paragraph (11), for “qualifying contract of insurance”, substitute “contract of insurance”.
- (4) In article 69 (groups and joint enterprises)(4), after paragraph (9), insert—
- “(10) Paragraph (2) does not apply to a transaction for the sale or purchase of a contract of insurance.
  - (11) Paragraph (4) does not apply to arrangements for, or with a view to, a transaction for the sale or purchase of a contract of insurance.
  - (12) Paragraph (9) does not apply where the advice relates to a transaction for the sale or purchase of a contract of insurance.”.
- (5) In article 70 (activities carried on in connection with the sale of a body corporate), after paragraph (6), insert—
- “(7) Paragraphs (4), (5) and (6) do not apply in the case of a transaction for the sale or purchase of a contract of insurance.”.

---

(1) Amended by [S.I. 2003/1475](#).

(2) Amended by [S.I. 2001/3544](#) and [S.I. 2003/1475](#).

(3) Amended by [S.I. 2001/3544](#).

(4) Amended by [S.I. 2002/682](#).

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

(6) In article 72 (overseas persons)(5), in paragraph (6), after “37”, insert “, 39A”.