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## STATUTORY INSTRUMENTS

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### 2004 No. 2095

## The Financial Services (Distance Marketing) Regulations 2004

### Amendment of the Consumer Protection (Distance Selling) Regulations 2000

**25.—**(1) The Consumer Protection (Distance Selling) Regulations 2000 <sup>F1</sup> are amended as follows.

(2) In regulation 3(1) (interpretation)—

(a) before the definition of “breach” insert—

““the 2000 Act” means the Financial Services and Markets Act 2000;

“appointed representative” has the same meaning as in section 39(2) of the 2000 Act;

“authorised person” has the same meaning as in section 31(2) of the 2000 Act;”;

(b) after the definition of “excepted contract” insert—

““financial service” means any service of a banking, credit, insurance, personal pension, investment or payment nature;”;

(c) after the definition of “personal credit agreement” insert—

““regulated activity” has the same meaning as in section 22 of the 2000 Act;”.

(3) In regulation 5(1)(c) (excepted contracts) omit “, a non-exhaustive list of which is contained in Schedule 2”.

(4) After regulation 6(3) (contracts to which only part of those Regulations apply) insert—

“(4) Regulations 7 to 14, 17 to 20 and 25 do not apply to any contract which is made, and regulation 24 does not apply to any unsolicited services which are supplied, by an authorised person where the making or performance of that contract or the supply of those services, as the case may be, constitutes or is part of a regulated activity carried on by him.

(5) Regulations 7 to 9, 17 to 20 and 25 do not apply to any contract which is made, and regulation 24 does not apply to any unsolicited services which are supplied, by an appointed representative where the making or performance of that contract or the supply of those services, as the case may be, constitutes or is part of a regulated activity carried on by him.”.

(5) Omit Schedule 2 (non-exhaustive list of financial services).

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**F1** [S.I. 2000/2334.](#)

**Changes to legislation:**

The Financial Services (Distance Marketing) Regulations 2004, Section 25 is up to date with all changes known to be in force on or before 12 October 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Regulations revoked by [2023 c. 29 Sch. 1 Pt. 2](#)