STATUTORY INSTRUMENTS

2005 No. 1529

The Financial Services and Markets Act 2000 (Financial Promotion) Order 2005

PART IV

Exempt Communications: All Controlled Activities

Exempt persons

16.—(1) The financial promotion restriction does not apply to any communication which—

(a) is a non-real time communication or a solicited real time communication;

(b) is made or directed by an exempt person; and

(c) is for the purposes of that exempt person's business of carrying on a controlled activity which is also a regulated activity in relation to which he is an exempt person.

(2) The financial promotion restriction does not apply to any unsolicited real time communication made by a person ("AR") who is an appointed representative (within the meaning of section 39(2) of the Act) where—

(a) the communication is made by AR in carrying on the business—

(i) for which his principal ("P") has accepted responsibility for the purposes of section 39 of the Act; and

(ii) in relation to which AR is exempt from the general prohibition by virtue of that section; and

(b) the communication is one which, if it were made by P, would comply with any rules made by the Authority under section 145 of the Act (financial promotion rules) which are relevant to a communication of that kind.

Status:
Point in time view as at 06/10/2006. This version of this provision has been superseded.

Changes to legislation:
There are currently no known outstanding effects for the The Financial Services and Markets Act 2000 (Financial Promotion) Order 2005, Section 16.