
STATUTORY INSTRUMENTS

2005 No. 1529

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

PART VI

Exempt Communications: Certain Controlled Activities

Financial markets

- 37.**—(1) The financial promotion restriction does not apply to any communication—
- (a) which is a non-real time communication or a solicited real time communication;
 - (b) which is communicated by a relevant market; and
 - (c) to which paragraph (2) or (3) applies.
- (2) This paragraph applies to a communication if—
- (a) it relates only to facilities provided by the market; and
 - (b) it does not identify (directly or indirectly)—
 - (i) any particular investment issued, or to be issued, by or available from an identified person as one that may be traded or dealt in on the market; or
 - (ii) any particular person as a person through whom transactions on the market may be effected.
- (3) This paragraph applies to a communication if—
- (a) it relates only to a particular investment falling within paragraph 21, 22 or 23 of Schedule 1; and
 - (b) it identifies the investment as one that may be traded or dealt in on the market.
- (4) “Relevant market” means a market which—
- (a) meets the criteria specified in Part I of Schedule 3; or
 - (b) is specified in, or is established under the rules of an exchange specified in, Part II, III or IV of that Schedule.