
STATUTORY INSTRUMENTS

2005 No. 1529

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

PART VI

Exempt Communications: Certain Controlled Activities

Material relating to prospectus for public offer of unlisted securities

71.—(1) The financial promotion restriction does not apply to any non-real time communication relating to a prospectus or supplementary prospectus where the only reason for considering it to be an invitation or inducement is that it does one or more of the following—

- (a) it states the name and address of the person by whom the transferable securities to which the prospectus or supplementary prospectus relates are to be offered;
 - (b) it gives other details for contacting that person;
 - (c) it states the nature and the nominal value of the transferable securities to which the prospectus or supplementary prospectus relates, the number offered and the price at which they are offered;
 - (d) it states that a prospectus or supplementary prospectus is or will be available (and, if it is not yet available, when it is expected to be);
 - (e) it gives instructions for obtaining a copy of the prospectus or supplementary prospectus.
- (2) In this article—
- (a) “transferable securities” has the same meaning as in section 102A(3) of the Act;
 - (b) references to a prospectus or supplementary prospectus are references to a prospectus or supplementary prospectus which is published in accordance with prospectus rules made under Part VI of the Act.