

SCHEDULE 1

PART I

Controlled Activities

Providing funeral plan contracts

9.—(1) Entering as provider into a qualifying funeral plan contract is a controlled activity.

[^{F1}(1A) Carrying out a qualifying funeral plan contract as provider is a controlled activity.]

(2) A “qualifying funeral plan contract” is a contract under which—

- (a) a person (“the customer”) makes one or more payments to another person (“the provider”);
- (b) the provider undertakes to provide, or to secure that another person provides, a funeral in the United Kingdom for the customer (or some other person who is living at the date when the contract is entered into) on his death; and

[^{F2}(c) the provider is a person who carries on a regulated activity specified in article 59 of the Regulated Activities Order and includes a person who has assumed the undertaking referred to in article 59(2)(b) of that Order as a result of the novation, assignment or transfer by operation of law of an existing qualifying funeral plan contract.]

Textual Amendments

F1 Sch. 1 para. 9(1A) inserted (28.1.2021 for specified purposes, 30.7.2022 in so far as not already in force) by The Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) Order 2021 (S.I. 2021/90), arts. 1(2)(3), **5(3)(a)**

F2 Sch. 1 para. 9(2)(c) substituted (28.1.2021 for specified purposes, 30.7.2022 in so far as not already in force) by The Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) Order 2021 (S.I. 2021/90), arts. 1(2)(3), **5(3)(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Financial Services and Markets Act 2000 (Financial Promotion) Order 2005, Paragraph 9.