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## STATUTORY INSTRUMENTS

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# 2013 No. 1881

## The Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) (No.2) Order 2013

### PART 6

Amendments to secondary legislation made under the 1974 Act

#### The Consumer Credit (Agreements) Regulations 1983

23.—(1) The Consumer Credit (Agreements) Regulations 1983 <sup>F1</sup> are amended as follows.

(2) In regulation 1(2) (interpretation), for the definition of “the Total Charge for Credit Regulations” substitute—

““the total charge for credit rules” means rules made by the Financial Conduct Authority under article 60M of the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 for the purposes of Chapter 14A of Part 2 of that Order;”.

(3) In every other place where “Total Charge for Credit Regulations” appears, substitute “ total charge for credit rules ”.

(4) In regulation 8 (application of Regulations), for paragraph (1B), substitute—

“(1B) Article 60C(5) and (6) of the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 applies for the purposes of paragraph (1A)(c).”.

(5) In Schedule 1 (information to be contained in documents embodying regulated consumer credit agreements other than modifying agreements)—

(a) in paragraph 10, in the second column, omit “regulation 6 of”;

(b) before paragraph 19A, insert the heading “ *Land-related agreements* ”;

(c) in paragraph 19A—

(i) for the entry in the first column, substitute—

“Agreements which—

(a) are intended primarily to finance the acquisition or retention of land or the renovation or improvement of a building or any other agreement secured by a mortgage on land or, in Scotland, by a standard security within the meaning of the Conveyancing and Feudal Reform (Scotland) Act 1970 <sup>F2</sup>, and

(b) provide for the possibility of any variation of the rate of interest if it is to be assumed, by virtue of the total charge for credit rules, that the variation will take place but the amount of the variation cannot be ascertained at the date of the making of the agreement.”;

(ii) for the entry in the second column, for “regulation 15A(2) of the Total Charge for Credit Regulations 1980”<sup>F3</sup> substitute “the total charge for credit rules”.

(6) In Schedule 7 (provisions relating to the disclosure of the APR)—

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- (a) in paragraph 1, omit “regulation 6 of”;
  - (b) in paragraphs 2 and 3, omit “the Schedule to”.
- (7) In Schedule 8 (regulated modifying agreements)—
- (a) in paragraph 9, in sub-paragraph (1) of column 2, omit “regulation 6 of”;
  - (b) before paragraph 19A, insert the heading “ *Land-related agreements* ”;
  - (c) in paragraph 19A—
    - (i) in the entry in the first column, for “regulation 15A of the Total Charge for Credit Regulations 1980” substitute “ paragraph 19A of Schedule 1 ”;
    - (ii) for the entry in the second column, for “regulation 15A(2) of the Total Charge for Credit Regulations 1980” substitute “ the total charge for credit rules ”.

**F1** [S.I. 1983/1553](#); relevant amending instruments are [S.I. 1999/3177](#), 2004/1482 and 2010/1010.

**F2** [1970 c.35](#).

**F3** [S.I. 1980/51](#); relevant amending instruments are [S.I. 1989/596](#), 1993/3177, 2010/2010.

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**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

- Order power to modify conferred by [2023 c. 29 s. 3Sch. 1 Pt. 2](#)
- Order revoked by [2023 c. 29 Sch. 1 Pt. 2](#)