
STATUTORY INSTRUMENTS

2015 No. 853

**The Financial Services and Markets Act
2000 (Miscellaneous Provisions) Order 2015**

Amendment of the Financial Services and Markets Act 2000 (Financial Promotion) Order 2005

4.—(1) The Financial Services and Markets Act 2000 (Financial Promotion) Order 2005⁽¹⁾ is amended as follows.

(2) In article 55B (insolvency practitioners)⁽²⁾, for “who carries on” substitute “in the course of carrying on”.

(3) In article 72F (credit agreements offered to employees by employers)⁽³⁾, for paragraph (2) (a) substitute—

“(a) offered by a lender to a borrower as an incident of employment with the lender, or with an undertaking in the same group as the lender; and”.

(4) In paragraph 4B (credit broking)⁽⁴⁾ of Schedule 1—

(a) in sub-paragraph (1)(a), after “relevant credit agreements”, insert “(other than credit agreements which are exempt agreements under the relevant provisions)”;

(b) for sub-paragraph (1)(b), substitute—

“(b) effecting an introduction of an individual or relevant recipient of credit to a person who, by way of business, enters into as owner regulated consumer hire agreements or agreements which would be regulated consumer hire agreements but for article 60O (exempt agreements: exemptions relating to nature of agreement)⁽⁵⁾ or article 60Q (exempt agreements: exemptions relating to the nature of the hirer)⁽⁶⁾ of the Regulated Activities Order;”

(c) in sub-paragraph (1)(d), (e) and (f), after “a relevant credit agreement”, insert “(other than a credit agreement which is an exempt agreement under the relevant provisions)”;

(d) for sub-paragraph (2), substitute—

“(2) For the purposes of paragraph (1)—

(a) “relevant provisions” are article 60E⁽⁵⁾ (exempt agreements: exemptions relating to the nature of the lender)⁽⁷⁾ and article 60F (exempt agreements: exemptions relating to number of repayments to be made) of the Regulated Activities Order;

(b) it is immaterial whether the relevant credit agreement or the consumer hire agreement is subject to the law of a country other than the United Kingdom.”.

(1) [S.I. 2005/1529](#).

(2) Article 55B inserted by [S.I. 2014/506](#).

(3) Article 72F was inserted by [S.I. 2014/208](#).

(4) Paragraph 4B was inserted by [S.I. 2013/1881](#) and amended by [S.I. 2014/366](#).

(5) Article 60O was inserted by [S.I. 2013/1881](#) and amended by [S.I. 2014/366](#).

(6) Article 60Q was inserted by [S.I. 2013/1881](#).

(7) Article 60E and article 60F were inserted (with articles 60B to 60M) by [S.I. 2013/1881](#). Article 60E was amended by [S.I. 2014/366](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
