
STATUTORY INSTRUMENTS

2017 No. 488

**The Financial Services and Markets Act 2000
(Regulated Activities) (Amendment) Order 2017**

Amendments to article 84 of the Order: futures

8.—(1) Article 84 of the Order⁽¹⁾ (futures) is amended as follows.

(2) In paragraph (1A)(d), after “directive” insert (read with Articles 5 and 6 of the Commission Regulation)”.⁽¹⁾

(3) In paragraph (1B)(d), for “38” substitute “7”.

(4) In paragraph (1C)(c), after “with” insert “Articles 7 and 8 of”.

(5) After paragraph (1C), insert—

“(1CA) Subject to paragraph (1D), any other derivative contract, relating to currencies to which paragraph 4 of Section C of Annex 1 to the markets in financial instruments directive read with Article 10 of the Commission Regulation (the texts of which are set out in Parts 1 and 2 of Schedule 2) applies.”.

(6) In paragraph (1D)—

(a) for “and (1C)” substitute “, (1C) and (1CA)”;

(b) for “or forwards” substitute “, forwards or derivative contracts”;

(c) omit “or” at the end of sub-paragraph (b);

(d) in sub-paragraph (c), for “paragraph 8” substitute “paragraph 8 or 9”;

(e) after sub-paragraph (c) insert—

“, or

(d) an AIFM is providing, in accordance with Article 6.4 of the alternative investment fund managers directive the investment service specified in paragraph 1, 4 or 5 of Section A, or the ancillary service specified in paragraph 1 of Section B, of Annex I to the markets in financial instruments directive.”.

(7) In paragraph (1E), for “(IC)” substitute “(1CA)”.

(1) Article 84 was amended by [S.I. 2006/3384](#) and [2011/1613](#).