
STATUTORY INSTRUMENTS

2019 No. 574

The Financial Services (Distance Marketing) (Amendment and Savings Provisions) (EU Exit) Regulations 2019

PART 3

European Union (Withdrawal) Act 2018: amendment of the 2004 Regulations

Amendment of regulation 4

6. In regulation 4 (scope)—

(a) for paragraph (1) substitute—

“(1) Regulations 7 to 11 do not apply in relation to any contract made between an EEA supplier contracting from an establishment in an EEA State and a consumer in the United Kingdom unless the EEA supplier is—

- (a) a payments supplier,
- (b) a relevant EEA AIFM, or
- (c) the operator, trustee or depositary of a relevant recognised scheme.

(1A) Regulations 12 and 13 do not apply in relation to any contract made between an EEA supplier contracting from an establishment in an EEA State and a consumer in the United Kingdom unless the EEA supplier is—

- (a) an authorised person, or
- (b) a payments supplier.

(1B) Regulation 15 does not apply in relation to any supply of financial services by an EEA supplier from an establishment in an EEA State to a consumer in the United Kingdom unless the EEA supplier is—

- (a) a payments supplier,
- (b) a relevant EEA AIFM, or
- (c) the operator, trustee or depositary of a relevant recognised scheme

(1C) For the purposes of paragraphs (1) to (1B)—

“payments supplier” means an EEA supplier to whom paragraph 2 or 14 of Schedule 3 to the Electronic Money, Payment Services and Payment Systems (Amendment and Transitional Provisions) (EU Exit) Regulations 2018 applies;

“relevant EEA AIFM” means an EEA AIFM (within the meaning given in regulation 78A(1)(b) of the Alternative Investment Fund Managers Regulations 2013) to whom regulation 78B of those Regulations applies.”⁽¹⁾

(b) in paragraph (6), for “paragraph (5)” substitute “paragraphs (1), (1B) and (5)”.

⁽¹⁾ [S.I. 2018/1201](#) and [S.I. 2013/1773](#). Regulations 78A and 78B of the 2013 Regulations were inserted by the Alternative Investment Fund Managers (Amendment etc.) (EU Exit) Regulations 2019 ([S.I. 2019/328](#)).

Status: This is the original version (as it was originally made).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