
STATUTORY INSTRUMENTS

2021 No. 90

**The Financial Services and Markets Act 2000
(Regulated Activities) (Amendment) Order 2021**

PART 2

Amendments to secondary legislation made under the Act

The Financial Services and Markets Act 2000 (Financial Promotion) Order 2005

5.—(1) Schedule 1 to the Financial Services and Markets Act 2000 (Financial Promotion) Order 2005(1) is amended as follows.

(2) In paragraph 3(1)(2) (dealing in securities and contractually based investments), omit “(other than investments of the kind specified by paragraph 25, or paragraph 27 so far as relevant to that paragraph)”.

(3) In paragraph 9 (providing funeral plan contracts)—

(a) after sub-paragraph (1), insert—

“(1A) Carrying out a qualifying funeral plan contract as provider is a controlled activity.”; and

(b) for sub-paragraph (2)(c), substitute—

“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.”.

Commencement Information

I1 Art. 5 in force at 28.1.2021 for specified purposes, see [art. 1\(2\)](#)

I2 [Art. 5](#) in force at 29.7.2022 in so far as not already in force, see [art. 1\(3\)](#)

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

(2) Paragraph 3(1) of Schedule 1 was amended by [S.I. 2017/488](#).

Changes to legislation:

There are currently no known outstanding effects for the The Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) Order 2021, Section 5.