

**200[3] No.**

**FINANCIAL SERVICES AND MARKETS**

**The Financial Services and Markets Act 2000 (Misleading Statements and Practices) (Amendment) Order 200[3]**

*Made* - - - - 2002  
*Laid before Parliament* 2002  
*Coming into force in accordance with article 1*

The Treasury, in exercise of the powers conferred on them by section 397(9) and (14) of the Financial Services and Markets Act 2000(a), hereby make the following Order:

**Citation and commencement**

1.—(1) This Order may be cited as the Financial Services and Markets Act 2000 (Misleading Statements and Practices) (Amendment) Order 200[3].

(2) This article comes into force on the day on which this Order is made, and article 2 comes into force on such a day as the Treasury may specify.

(3) Any day specified under paragraph (2) must be caused to be notified in the London, Edinburgh and Belfast Gazettes published not later than one week before that date.”.

**Amendment of the Financial Services and Markets Act 2000 (Misleading Statements and Practices) Order 2001**

2.—(1) The Financial Services and Markets Act 2000 (Misleading Statements and Practices) Order 2001 (b) is amended as follows.

(2) In article 2 (interpretation), in the definition of “controlled activity”, for “paragraph 9 or 10” (in both places) substitute “paragraph 9, 10, 10A or 10B”.

(3) In article 3 (specified kinds of activity), after paragraph (c) insert –

“(ca) an activity which falls within paragraph 10A (arranging qualifying credit) of that Schedule, or agreeing to carry on such an activity;

(cb) an activity which falls within paragraph 10B (advising on qualifying credit) of that Schedule, or agreeing to carry on such an activity;”.

Date

Two of the Lords Commissioners of  
Her Majesty’s Treasury

---

(a) 2000 c.8.  
(b) S.I. 2001/3645.

## **EXPLANATORY NOTE**

*(This Note is not part of the Order)*

This Order amends the Financial Services and Markets Act 2000 (Misleading Statements and Practices) Order 2001 (“the Misleading Statements Order”). That Order specifies certain kinds of activity and investment for the purposes of section 397 of the Financial Services and Markets Act 2000 (“the Act”).

Article 1 provides that the Order will come into force on a day specified by the Treasury, and that day must be notified at least one week in advance in the London, Edinburgh and Belfast Gazettes.

Article 2 amends articles 2 and 3 of the Misleading Statements Order, so that arranging qualifying credit and advising on qualifying credit are specified for the purposes of section 397(9)(a) of the Act.