

2021 No. 566

FINANCIAL SERVICES AND MARKETS

The Financial Services and Markets Act 2000 (Collective Investment Schemes) (Amendment) Order 2021

<i>Made</i>	- - - -	<i>7th May 2021</i>
<i>Laid before Parliament</i>		<i>12th May 2021</i>
<i>Coming into force</i>	- -	<i>18th June 2021</i>

The Treasury make the following Order in exercise of the powers conferred by section 235(5) of the Financial Services and Markets Act 2000(a).

Citation and commencement

1.—(1) This Order may be cited as the Financial Services and Markets Act 2000 (Collective Investment Schemes) (Amendment) Order 2021.

(2) This Order comes into force on 18th June 2021.

Amendment of the Financial Services and Markets Act 2000 (Collective Investment Schemes) Order 2001

2.—(1) The Schedule to the Financial Services and Markets Act 2000 (Collective Investment Schemes) Order 2001(b) is amended as follows.

(2) For paragraph 6A, substitute the following—

“**6A.**—(1) Arrangements do not amount to a collective investment scheme in so far as they are arrangements of a kind described in one of sub-paragraphs (2) to (6).

(2) Arrangements operated by a person specified in paragraph (a) and in one or more of the circumstances specified in paragraph (b).

(a) A person who is—

- (i) an authorised person with permission to carry on an activity of the kind specified by article 36H(1) of the Regulated Activities Order(c) (operating an electronic system in relation to lending);
- (ii) an appointed representative in relation to that activity;
- (iii) an exempt person in relation to that activity;

(a) 2000 c. 8.

(b) S.I. 2001/1062. Paragraph 6A of the Schedule was inserted by S.I. 2015/2061.

(c) “The Regulated Activities Order” is defined in article 2 of the Financial Services and Markets Act 2000 (Collective Investment Schemes) Order 2001 (S.I. 2001/544). Article 36H of the Regulated Activities Order was inserted by S.I. 2013/1881. It was amended by S.I. 2014/366, 2016/392 and 2020/480.

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