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STATUTORY INSTRUMENTS

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**2001 No. 3649**

The Financial Services and Markets Act 2000  
(Consequential Amendments and Repeals) Order 2001

PART 8

MISCELLANEOUS AMENDMENTS TO PRIMARY LEGISLATION

*Social Security (Recovery of Benefits) Act 1997 (c. 27)*

**Payments by insurers**

**358.**—(1) Paragraph 5 of Schedule 1 to the Social Security (Recovery of Benefits) Act 1997 is amended as follows.

- (2) The existing provision becomes sub-paragraph (1).
- (3) In that sub-paragraph—
  - (a) for “insurance company within the meaning of the Insurance Companies Act 1982” substitute “insurer”; and
  - (b) for “the company” substitute “the insurer”.
- (4) After that sub-paragraph, insert—
  - “(2) “Insurer” means—
    - (a) a person who has permission under Part 4 of the Financial Services and Markets Act 2000 to effect or carry out contracts of insurance; or
    - (b) an EEA firm of the kind mentioned in paragraph 5(d) of Schedule 3 to that Act which has permission under paragraph 15 of that Schedule (as a result of qualifying for authorisation under paragraph 12 of that Schedule) to effect or carry out contracts of insurance.
  - (3) Sub-paragraph (2) must be read with—
    - (a) section 22 of the Financial Services and Markets Act 2000;
    - (b) any relevant order under that section; and
    - (c) Schedule 2 to that Act.”.