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STATUTORY INSTRUMENTS

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**2009 No. 1342**

**The Financial Services and Markets Act 2000  
(Regulated Activities) (Amendment) Order 2009**

**PART 3**

**AMENDMENTS OF PRIMARY LEGISLATION**

**Amendments of the Companies Act 1985**

**23.** In section 262(1) of the Companies Act 1985<sup>(1)</sup> (minor definitions) in the definition of “regulated activity”—

(a) after paragraph (ab) insert—

“(ac) article 25E (arranging regulated sale and rent back agreements),”; and

(b) after paragraph (cb) insert—

“(cc) article 53D (advising on regulated sale and rent back agreements),”.

**Amendments of the Law of Property (Miscellaneous Provisions) Act 1989**

**24.** In section 2 of the Law of Property (Miscellaneous Provisions) Act 1989<sup>(2)</sup> (contracts for sale etc. of land to be made by signed writing)—

(a) in subsection (5)(c) for “, a regulated home reversion plan or a regulated home purchase plan” substitute “a regulated home reversion plan, a regulated home purchase plan or a regulated sale and rent back agreement”; and

(b) in subsection (6) for “ and “regulated home purchase plan”” substitute “, “regulated home purchase plan” and “regulated sale and rent back agreement””.

**Amendments of the Financial Services and Markets Act 2000**

**25.** In section 49(2A)(b) of the Financial Services and Markets Act 2000<sup>(3)</sup> (persons connected with an applicant)—

(a) in paragraph (b) of subsection (2A) for “or a regulated home purchase plan” substitute “, a regulated home purchase plan or a regulated sale and rent back agreement”; and

(b) after subsection (3) insert—

“(4) In subsection (2A)(b) “regulated mortgage contract”, “regulated home reversion plan”, “regulated home purchase plan” and “regulated sale and rent back agreement” shall be construed in accordance with—

(a) section 22;

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(1) 1985 c.6; the definition of regulated activity was inserted by S.I. 2005/2280 and amended by S.I. 2006/2383.

(2) 1989 c.34; section 2 was amended by S.I. 2001/3649 and S.I. 2006/2383.

(3) 2000 c.8; section 49(2A) was inserted by S.I. 2001/544 and amended by S.I. 2004/1610 and S.I. 2006/2383.

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*Status: This is the original version (as it was originally made).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

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- (b) any relevant order under that section; and
- (c) Schedule 2.”.

#### **Amendments of the Companies Act 2006**

**26.** In section 474(1) of the Companies Act 2006<sup>(4)</sup> (accounts and reports: minor definitions) in the definition of “regulated activity”—

- (a) after paragraph (c) insert—
  - “(ca) article 25E (arranging regulated sale and rent back agreements),”; and
- (b) after paragraph (g) insert—
  - “(ga) article 53D (advising on regulated sale and rent back agreements),”.

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(4) 2006 c.46.