

Appendix 1

Total charge for credit rules; and certain exemptions

1.3 Exemption of certain credit agreements secured on land

Interpretation

App 1.3.1 R

(1) This section specifies:

- (a) the *persons* or classes of *persons* to whom the exemption in article 60E(2) of the *Regulated Activities Order* applies; and
- (b) the agreements or classes of agreement to which the exemption in article 60E(2) of the *Regulated Activities Order* applies.

Paragraphs (2) to (5) do not apply where the applicable agreement is an *MCD article 3(1)(b) credit agreement*.

(2) Where the *lender* is a body specified in ■ CONC App 1.3.2 R or an *authorised person with permission to accept deposits*, article 60E(2) of the *Regulated Activities Order* applies only to

- (a) a *borrower-lender-supplier agreement* falling within (a) or (c) of the definition of *relevant credit agreement relating to the purchase of land*;
- (b) a *borrower-lender agreement* secured by any *legal or equitable mortgage on land to finance*
 - (i) the purchase of *land*; or
 - (ii) the provision of dwellings or *business premises* on any *land*; or
 - (iii) subject to (3) below, the alteration, enlarging, repair or improvement of a dwelling or *business premises* on any *land*;
- (c) a *borrower-lender agreement* secured by any *legal or equitable mortgage on land to refinance* any existing indebtedness of the *borrower*, whether to the *lender* or another *person*, under any agreement by which the *borrower* was provided with *credit* for any of the purposes specified in (b)(i) to (iii) above.

(3) (2)(b)(iii) above applies only

- (a) where the *lender* is the *lender* under
 - (i) an agreement (whenever made) by which the *borrower* is provided with *credit* for any of the purposes specified in (2)(b)(i) and (2)(b)(ii); or
 - (ii) an agreement (whenever made) refinancing an agreement under which the *borrower* is provided with *credit* for any of the said purposes,
being, in either case, an agreement relating to the *land* referred to in (2)(b)(iii) and secured by a *legal or equitable mortgage* on that *land*; or
 - (b) where a *borrower-lender agreement* to *finance* the alteration, enlarging, repair or improvement of a dwelling, secured by a *legal or equitable mortgage* on that dwelling, is made as a result of any such services as are described in section 4(3)(e) of the Housing Associations Act 1985 which are certified as having been provided by
 - (i) a *local authority*;
 - (ii) a housing association within the meaning of section 1 of the Housing Associations Act 1985 or article 3 of the Housing (Northern Ireland) Order 1992;
 - (iii) a body established by such a housing association for the purpose of providing such services as are described in the said section 4(3)(e) of the Housing Associations Act 1985;
 - (iv) a charity;
 - (v) the National Home Improvement Council;
 - (vi) the Northern Ireland Housing Executive; or
 - (vii) a body, or a body of any description, that has been approved by the Secretary of State under section 169(4)(c) of the Local Government and Housing Act 1989 or the Department of the Environment for Northern Ireland under article 103(4)(c) of the Housing (Northern Ireland) Order 1992.
- (4) Where the *lender* is a body specified in ■ CONC App 1.3.3 R, the exemption in article 60E(2) of the *Regulated Activities Order* applies only to an agreement of a description specified in that rule in relation to that body and made pursuant to an enactment or for a purpose so specified.
- (5) Where the *lender* is a body specified in ■ CONC App 1.3.4 R, the exemption in article 60E (2) of the *Regulated Activities Order* applies only to an agreement of a description falling within ■ CONC App 1.3.1R (2)(a) to ■ CONC App 1.3.1R (2)(c), being an agreement advancing money on the security of a dwelling-house.

App 1.3.2 R

Bodies whose agreements of the specified description are exempt agreements

INSURANCE COMPANIES

- Abbey Life Assurance Company Limited
- Abbey Life Pension and Annuities Limited
- Albany Life Assurance Company Limited
- Allchurches Life Assurance Limited
- Alliance Assurance Company Limited
- Allied Dunbar Assurance PLC

Bodies whose agreements of the specified description are exempt agreements

Ambassador Life Assurance Company Limited
American Life Insurance Company
Ansvar Insurance Company Limited
Atlas Assurance Company Limited
Australian Mutual Provident Society
Avon Insurance PLC
Black Horse Life Assurance Company Limited
Bradford Insurance Company Limited
Britannic Assurance Public Limited Company
The British & European Reinsurance Company Limited
British Equitable Assurance Company Limited
The British Life Office Limited
The British Oak Insurance Company Limited
British Reserve Insurance Company Limited
Caledonian Insurance Company
The Cambrian Insurance Company Limited
The Canada Life Assurance Company
Cannon Assurance Limited
Car and General Insurance Corporation Limited
City of Westminster Assurance Company Limited
City of Westminster Assurance Society Limited
Clerical, Medical and General Life Assurance Society
Colonial Life (UK) Limited
The Colonial Mutual Life Assurance Society Limited
Commercial Union Assurance Company plc
Commercial Union Pensions Management Limited
Commercial Union Life Assurance Company Limited
Confederation Life Insurance Company
The Contingency Insurance Company Limited
Co-operative Insurance Society Limited
Cornhill Insurance Public Limited Company
Criterion Insurance Company Limited
Crown Life Assurance Company Limited
Crown Life Insurance Company Limited
Crown Life Pensions Limited
Crusader Insurance PLC
The Dominion Insurance Company Limited
Eagle Star Insurance Company Limited
Ecclesiastical Insurance Office plc
Economic Insurance Company Limited
English & American Insurance Company Limited
The Equitable Life Assurance Society

Bodies whose agreements of the specified description are exempt agreements

Equico International Limited
Equity & Law Life Assurance Society plc
Essex and Suffolk Insurance Company Limited
Excess Insurance Company Limited
Federation Mutual Insurance Limited
Fine Art and General Insurance Company Limited
Friends' Provident Life Office
FS Assurance Limited
General Accident Fire and Life Assurance Corporation Public Limited Company
General Accident Life Assurance Limited
General Accident Linked Life Assurance Limited
General Portfolio Life Insurance Public Limited Company
Gisborne Life Assurance Company Limited
Gresham Life Assurance Society Limited
Guardian Assurance plc
Guardian Royal Exchange Assurance plc
Hill Samuel Life Assurance Limited
The Ideal Insurance Company Limited
The Imperial Life Assurance Company of Canada
Irish Life Assurance plc
The Iron Trades Employers Insurance Association Limited
Legal and General Assurance Society Limited
The Licenses and General Insurance Company Limited
The Life Association of Scotland Limited
London Aberdeen & Northern Mutual Assurance Society Limited
London and Manchester Assurance Company Limited
London and Manchester (Pensions) Limited
London & Scottish Assurance Corporation Limited
The London Assurance
The London Life Association Limited
The Manufacturers Life Insurance Company
Marine and General Mutual Life Assurance Society
Maritime Insurance Company Limited
Medical Sickness Annuity & Life Assurance Society Limited
The Mercantile and General Reinsurance Company plc
Midland Assurance Limited
The Motor Union Insurance Company Limited
Minister Insurance Company Limited
Municipal Life Assurance Limited
Municipal Mutual Insurance Limited
NALGO Insurance Association Limited
National Employers' Life Assurance Company Limited

Bodies whose agreements of the specified description are exempt agreements

National Employers' Mutual General Insurance Association Limited
The National Farmers Union Mutual Insurance Society Limited
National House-Building Council
The National Insurance and Guarantee Corporation PLC
The National Mutual Life Association of Australasia Limited
National Mutual Life Assurance Society
National Provident Institution
National Vulcan Engineering Insurance Group Limited
N.E.L. Pensions Limited
The New Zealand Insurance plc
North British & Mercantile Insurance Company Limited
The Northern Assurance Company Limited
Norwich Union Asset Management Limited
Norwich Union Fire Insurance Society Limited
Norwich Union Insurance Group (Pensions Management) Limited
Norwich Union Life Insurance Society
NRG London Reinsurance Company Limited
Oaklife Assurance Limited
The Ocean Accident & Guarantee Corporation Limited
The Orion Insurance Company P.L.C.
Pearl Assurance Public Limited Company
Pensions Management (SWF) Limited
Permanent Insurance Company Limited
Phoenix Assurance Public Limited Company
Pioneer Mutual Insurance Company Limited
Prolific Life and Pensions Limited
Property Growth Pensions & Annuities Limited
Provident Life Association Limited
Provident Mutual Life Assurance Association
Provincial Insurance Public Limited Company
The Prudential Assurance Company Limited
Railway Passengers Assurance Company
Refuge Assurance, public Limited company
Regency Life Assurance Company Limited
The Reliance Fire and Accident Insurance Corporation Limited
The Reliance Marine Insurance Company Limited
Reliance Mutual Insurance Society Limited
Royal Exchange Assurance
Royal Insurance Public Limited Company
Royal Insurance (Int.) Limited
Royal Insurance (U.K.) Limited
Royal Life Insurance Limited

Bodies whose agreements of the specified description are exempt agreements

Royal Life (Unit Linked Assurances) Limited
Royal Life (Unit Linked Pension Funds) Limited
The Royal London Mutual Insurance Society Limited
The Royal National Pension Fund for Nurses
Royal Reinsurance Company Limited
Schroder Life Assurance Limited
Scottish Amicable Life Assurance Society
Scottish Equitable Life Assurance Society
Scottish General Insurance Company Limited
Scottish Insurance Corporation Limited
The Scottish Life Assurance Company
The Scottish Mutual Assurance Society
The Scottish Provident Institution
Scottish Union and National Insurance Company
Scottish Widows' Fund and Life Assurance Society
Sentinel Life plc
Skandia Life Assurance Company Limited
Standard Life Assurance Company
Standard Life Pension Funds Limited
The State Assurance Company Limited
Suffolk Life Annuities Limited
Sun Alliance and London Assurance Company Limited
Sun Insurance Office Limited
Sun Life Assurance Company of Canada
Sun Life Assurance Society plc
Target Life Assurance Company Limited
Teachers Assurance Company Limited
Trident Investors Life Assurance Company Limited
Trident Life Assurance Company Limited
Trinity Insurance Company Limited
UK Life Assurance Company Limited
United British Insurance Company Limited
United Friendly Insurance plc
United Kingdom Temperance and General Provident Institution
United Standard Insurance Company Limited
The University Life Assurance Society
The Victory Reinsurance Company Limited
Wesleyan and General Assurance Society
The Western Australian Insurance Company Limited
The White Cross Insurance Company Limited
World-Wide Reassurance Company Limited
The Yorkshire Insurance Company Limited

Bodies whose agreements of the specified description are exempt agreements

Zurich Life Assurance Company Limited

FRIENDLY SOCIETIES

The Ancient Order of Foresters Friendly Society

Anglo-Saxons Friendly Society

Blackburn Philanthropic Mutual Assurance Society

British Benefit Society

British Order of Ancient Free Gardeners' Friendly Society

Brunel Assurance Society

Cirencester Benefit Society

Civil Servants' Annuities Assurance Society

Colmore Friendly Society

Coventry Assurance Society

Dentists' Provident Society

Devon and Exeter Women's Equitable Benefit Society

The Exeter Equitable Friendly Society

Grand United Order of Oddfellows Friendly Society

The Hampshire and General Friendly Society

Harvest Friendly Society

Hearts of Oak Benefit Society

The Ideal Benefit Society

Independent Order of Oddfellows Kingston Unity Friendly Society

The Independent Order of Odd Fellows Manchester Unity Friendly Society

The Independent Order of Rechabites, Salford Unity, Friendly Society

Leeds District of the Ancient Order of Foresters Investment Association

Leek Assurance Collecting Society

The Leicester District Foresters' Investment Society

Liverpool Victoria Friendly Society

The Manchester and Districts of the Ancient Order of Foresters Investment Association

National Deposit Friendly Society

National Equalized Druids Friendly Society

National United Order of Free Gardeners Friendly Society

New Tab Friendly Society

Northumberland and Durham Miners' Permanent Relief Fund Friendly Society

Nottingham Oddfellows Assurance Friendly Society

The Order of Druids Friendly Society

The Order of the Sons of Temperance Friendly Society

Original Holloway Society

Pioneer Benefit Society

Preston Catholic Collecting Society

Preston Shelley Assurance Collecting Society

Provident Reliance Friendly Society

Rational and County Assurance Society

Bodies whose agreements of the specified description are exempt agreements

- Royal Liver Friendly Society
- Scottish Friendly Assurance Society
- The Scottish Legal Life Assurance Society
- The Shepherds Friendly Society
- Sons of Scotland Temperance Friendly Society
- Stepney District Distressed Members' Pension Benevolent Fund
- The Sussex Widow and Orphans Society
- Teachers Provident Society
- Time Assurance Society
- Tunbridge Wells Equitable Friendly Society
- Tunstall and District Assurance Collecting Society
- United Ancient Order of Druids Friendly Society
- United Kingdom Civil Service Benefit Society
- United Patriots' National Benefit Society
- West Surrey General Benefit Society
- Widow and Orphan Fund of the Woolwich District of the Independent Order of Odd Fellows, Manchester Unity Friendly Society
- Widow and Orphans' Fund, Stepney District of the Independent Order of Odd Fellows, Manchester Unity Friendly Society
- Widow, Widowers and Orphans' Fund of the Godalming District of the Independent Order of Oddfellows, Manchester Unity, Friendly Society
- Wiltshire Holloway Benefit Society
- CHARITIES
- The Central Board of Finance of the Church of England
- Church Commissioners
- The Church of England Pensions Board
- The Church of Scotland
- The Church of Scotland General Trustees
- Church of Scotland Trust
- The Representative Body of the Church in Wales
- Timber Trades Benevolent Society
- The Winchester Diocesan Board of Finance
- York Diocesan Board of Finance Limited
- AGRICULTURAL CORPORATIONS
- The Agricultural Mortgage Corporation Public Limited Company
- The Scottish Agricultural Securities Corporation Public Limited Company
- OTHER BODIES
- General Practice Finance Corporation Limited

App 1.3.3 **R**

Bodies Corporate	Description of Agreement and Enactments
	LAND IMPROVEMENT COMPANIES
The Lands Improvement Company:	<i>Relevant credit agreements relating to the purchase of land, being agreements made pursuant to</i>

	(a)	the Lands Improvement Company's Acts 1853 to 1969; or
	(b)	the Improvement of Land Acts 1864 and 1899.
		BODIES CORPORATE NAMED OR SPECIFICALLY REFERRED TO IN A PUBLIC GENERAL ACT - UNITED KINGDOM
The Greater London Authority		<i>Relevant credit agreements relating to the purchase of land</i> , being agreements made under the Authority's power to give financial assistance under section 30 of the Greater London Authority Act 1999.
Homes and Communities Agency		<i>Relevant credit agreements relating to the purchase of land</i> , being agreements made under the Agency's powers to give financial assistance under section 19 of the Housing and Regeneration Act 2008.
The Eastern Electricity Board:		Agreements of a description falling within CONC App 1.3.1R (2)(a) to CONC App 1.3.1R (2)(c) , being agreements made between the Board and employees or prospective employees of the Board pursuant to section 2(5) of the Electricity Act 1947.
The Electricity Council:		Agreements of a description falling within CONC App 1.3.1R (2)(a) to CONC App 1.3.1R (2)(c) , being agreements made between the Council and employees or prospective employees of the Council pursuant to section 2(5) of the Electricity Act 1947, as applied in relation to the Council by section 3(6) of the Electricity Act 1957.
The London Docklands Development Corporation:		Agreements of a description falling within CONC App 1.3.1R (2)(a) to CONC App 1.3.1R (2)(c) , being agreements made pursuant to section 136 of the Local Government, Planning and Land Act 1980.
The London Electricity Board:		Agreements of a description falling within CONC App 1.3.1R (2)(a) to CONC App 1.3.1R (2)(c) , being agreements made between the Board and employees or prospective employees of the Board pursuant to section 2(5) of the Electricity Act 1947.
The North Eastern Electricity Board:		Agreements of a description falling within CONC App 1.3.1R (2)(a) to CONC App 1.3.1R (2)(c) , being agreements made between the Board and employees or prospective employees of the Board pursuant to section 2(5) of the Electricity Act 1947.
Sea Fish Industry Authority:		<i>Relevant credit agreements relating to the purchase of land</i> , being agreements made pursuant to section 3(1)(e) and (f) of the Fisheries Act 1981.
The South Eastern Electricity Board:		Agreements of a description falling within CONC App 1.3.1R (2)(a) to CONC App 1.3.1R (2)(c) , being agreements made between the Board and employees or prospective employees of the Board pursuant to section 2(5) of the Electricity Act 1947.
The South Western Electricity Board:		Agreements of a description falling within CONC App 1.3.1R (2)(a) to CONC App 1.3.1R (2)(c) , being agreements made between the Board and employees or prospective employees of the Board pursuant to section 2(5) of the Electricity Act 1947.

The Southern Electricity Board:	Agreements of a description falling within CONC App 1.3.1R (2)(a) to CONC App 1.3.1R (2)(c), being agreements made between the Board and employees or prospective employees of the Board pursuant to section 2(5) of the Electricity Act 1947.
The Yorkshire Electricity Board:	Agreements of a description falling within CONC App 1.3.1R (2)(a) to CONC App 1.3.1R (2)(c), being agreements made between the Board and employees or prospective employees of the Board pursuant to section 2(5) of the Electricity Act 1947.
NORTHERN IRELAND	
Eastern Health and Social Services Board:	<i>Relevant credit agreements relating to the purchase of land</i> , being agreements made pursuant to article 59 of and Schedule 9 to the Health and Personal Social Services (Northern Ireland) Order 1972.
Northern Health and Social Services Board:	<i>Relevant credit agreements relating to the purchase of land</i> , being agreements made pursuant to article 59 of and Schedule 9 to the Health and Personal Social Services (Northern Ireland) Order 1972
Southern Health and Social Services Board:	<i>Relevant credit agreements relating to the purchase of land</i> , being agreements made pursuant to article 59 of and Schedule 9 to the Health and Personal Social Services (Northern Ireland) Order 1972.
Welsh Ministers	<i>Relevant credit agreements relating to the purchase of land</i> , being agreements falling within CONC App 1.3.1R (2)(a) to CONC App 1.3.1R (2)(c) which are made pursuant to section 36 of the New Towns Act 1981 and which related to property of the Commission for the New Towns transferred to them under a scheme made under section 51(1) of the Housing and Regeneration Act 2008.
Western Health and Social Services Board:	<i>Relevant credit agreements relating to the purchase of land</i> being agreements made pursuant to article 59 of and Schedule 9 to the Health and Personal Social Services (Northern Ireland) Order 1972.

App 1.3.4 R BODIES CORPORATE NAMED OR SPECIFICALLY REFERRED TO IN AN ORDER MADE UNDER SECTION 156(4), 444(1) OR 447(2)(a) OF THE HOUSING ACT 1985

- Abbey Life Executive Mortgages Limited
- Abbey Life Funding Limited
- Abbey Life Home Loans Limited
- Abbey Life Home Services Limited
- Abbey Life Mortgage Finance Limited
- Abbey Life Mortgage Loans Limited
- Abbey Life Mortgage Securities Limited
- Abbey Life Residential Loans Limited
- Albion Home Loans Limited
- Alliance & Leicester Mortgage Loans Limited
- Alliance & Leicester Mortgage Loans (No. 2) Limited
- Alliance & Leicester Mortgage Loans (No. 3) Limited
- Alliance & Leicester Mortgage Loans (No. 4) Limited
- Bradford & Bingley Homeloans Limited

BODIES CORPORATE NAMED OR SPECIFICALLY REFERRED TO IN AN ORDER MADE UNDER SECTION 156(4), 444(1) OR 447(2)(a) OF THE HOUSING ACT 1985

Bradford & Bingley Homeloans Management Limited
Bradford & Bingley Loans Limited
Bradford & Bingley Management Limited
Bradford & Bingley Mortgages Limited
Bradford & Bingley Mortgage Management Limited
Bradford & Bingley Secured Loans Limited
Bradford & Bingley Secured Loans Management Limited
Britannia Mortgage Company Number One Limited
Britannia Mortgage Company Number Two Limited
Chelsea Mortgage Services Limited
CIS Home Loans Limited
CIS Mortgage Finance Limited
CIS Mortgage Maker Limited
CIS Residential Mortgages Limited
CL Mortgages Limited
Darlington Mortgage Services Limited
Derbyshire Home Loans Limited
General Portfolio Finance Limited
Gracechurch Mortgage Finance (No. 2) PLC
Gracechurch Mortgage Finance (No. 3) PLC
Halifax Loans Limited
Halifax Loans (No. 2) Limited
Halifax Loans (No. 3) Limited
Halifax Loans (No. 4) Limited
HMC First Home National PLC
Home Loans Direct Limited
Home Loans Direct Funding PLC
Household Mortgage Corporation PLC
Ipswich Mortgage Services Limited
LBS Mortgages Limited
Leamington Mortgage Corporation Limited
Leeds & Holbeck Mortgage Corporation Limited
Leeds & Holbeck Mortgage Funding Limited
Legal and General Mortgage Services Limited
Lombard Home Loans Limited
London and Manchester (Mortgages) (No. 1) Limited
London and Manchester (Mortgages) (No. 2) Limited
London and Manchester (Mortgages) (No. 3) Limited
London and Manchester (Mortgages) (No. 4) Limited
London and Manchester (Mortgages) (No. 5) Limited
Market Harborough Mortgages Limited
The Mortgage Corporation Limited

BODIES CORPORATE NAMED OR SPECIFICALLY REFERRED TO IN AN ORDER MADE UNDER SECTION 156(4), 444(1) OR 447(2)(a) OF THE HOUSING ACT 1985

The National Home Loans Corporation plc
National Mutual Home Loans plc
National Westminster Home Loans Limited
Newbury Mortgage Services Limited
Northern Rock Mortgage Services Limited
North Yorkshire Mortgages Limited
Norwich and Peterborough (LBS) Limited
Norwich Union Mortgage Finance Limited
Royal London Homebuy Limited
Saffron Walden Mortgage Services Limited
Secured Residential Funding PLC
Stroud and Swindon Mortgage Company Limited
Stroud and Swindon Mortgage Company (No. 2) Limited
Sun Life of Canada Home Loans Limited
Wesleyan Home Loans Limited
West Bromwich Mortgage Company Limited