

Chapter 2

Jurisdiction of the Financial Ombudsman Service

Regulated Activities for the Voluntary Jurisdiction at 1 August 2022

This table belongs to ■ DISP 2.5.1 R

The activities which were covered by the *Compulsory Jurisdiction* (1 August 2022) were:

(1) for *firms*:

(a) *regulated activities* (other than *auction regulation bidding* and *administering a benchmark*);

(b) *payment services*;

[deleted]

(d) *lending money* secured by a charge on land;

(e) *lending money* (excluding *restricted credit* where that is not a *credit-related regulated activity*);

(f) *paying money* by a *plastic card* (excluding a *store card* where that is not a *credit-related regulated activity*);

(g) providing ancillary banking services;

(h) [deleted]

(i) *CBTL business*;

(j) offering and/or issuing of *investments* by *ISPVs*;

(k) giving *non-personal recommendation advice*;

(2) for *payment service providers*:

(a) *payment services*;

(b) *credit-related regulated activities*;

or any ancillary activities, including advice, carried on by the *payment service provider* in connection with them.

(3) for *electronic money issuers*:

(a) issuance of electronic money;

(b) *credit-related regulated activities*;

or any ancillary activities, including advice, carried on by the *electronic money issuer* in connection with them;

(4) for *CBTL firms*: *CBTL business* or any ancillary activities, including advice, carried on by the *CBTL firm* in connection with it.

(5) for *designated credit reference agencies*:

(a) providing *credit information* under the *Small and Medium Sized Business (Credit Information) Regulations*; or

(b) any ancillary activities, including advice, carried on by the *designated credit reference agency* in connection with the activity in (a).

(6) for *designated finance platforms*:

(a) providing *specified information* under the *Small and Medium Sized Business (Finance Platforms) Regulations*; or

(b) any ancillary activities, including advice, carried on by the *designated finance platform* in connection with the activity in paragraph (a).

(7) for *investment firms* authorised under the *UK* provisions which implemented *MiFID*:

(a) providing *investment services*;

(b) providing *ancillary services*;

(c) selling *structured deposits* to *clients*; and

(d) advising *clients* on *structured deposits*;

(and, in the case of *investment services* and *ancillary services*, this includes any acts which are preparatory to the provision of an *investment service* or *ancillary service* which are an integral part of such a service).

(8) for a *CRD credit institution*:

(a) providing *investment services*;

(b) selling *structured deposits* to *clients*; and

(c) advising *clients* on *structured deposits*;

(and, in the case of *investment services*, this includes any acts which are preparatory to the provision of an *investment service* which are an integral part of such a service).

(9) for a *collective portfolio management investment firm*:

(a) when providing the activities permitted by the *UK* provisions which implemented article 6(3) of the *UCITS Directive*; and

(b) when providing the activities permitted by the *UK* provisions which implemented article 6(4) of the *AIFMD*;

and, in the case of such activities, this includes any acts which are preparatory to the provision of an *investment service* which are an integral part of such a service).

The activities which (at 1 August 2022) were *regulated activities* were, in accordance with section 22 of the *Act* (Regulated Activities), any of the following activities specified in Part II and Parts 3A and 3B of the *Regulated Activities Order* (with the addition of *auction regulation bidding* and *administering a benchmark*):

(1) *accepting deposits* (article 5);

(2) *issuing electronic money* (article 9B);

(3) *effecting contracts of insurance* (article 10(1));

(4) *carrying out contracts of insurance* (article 10(2));

(4A) *insurance risk transformation* (article 13A);

(5) *dealing in investments as principal* (article 14);

(6) *dealing in investments as agent* (article 21);

(7) *arranging (bringing about) deals in investments* (article 25(1));

- (8) *making arrangements with a view to transactions in investments* (article 25(2));
- (9) *arranging (bringing about) regulated mortgage contracts* (article 25A(1));
- (10) *making arrangements with a view to regulated mortgage contracts* (article 25A(2));
- (11) *arranging (bringing about) a home reversion plan* (article 25B(1));
- (12) *making arrangements with a view to a home reversion plan* (article 25B(2));
- (13) *arranging (bringing about) a home purchase plan* (article 25C(1));
- (14) *making arrangements with a view to a home purchase plan* (article 25C(2));
- (14A) *operating a multilateral trading facility* (article 25D);
- (14B) *arranging (bringing about) a regulated sale and rent back agreement* (article 25E(1));
- (14C) *making arrangements with a view to a regulated sale and rent back agreement* (article 25E(2));
- (14D) *credit broking* (article 36A);
- (14E) *operating an electronic system in relation to lending* (article 36H);
- (15) *managing investments* (article 37);
- (16) *assisting in the administration and performance of a contract of insurance* (article 39A);
- (16A) *debt adjusting* (article 39D(1) and (2));
- (16B) *debt counselling* (article 39E(1) and (2));
- (16C) *debt collecting* (article 39F(1) and (2));
- (16D) *debt administration* (article 39G(1) and (2));
- (17) *safeguarding and administering investments* (article 40);
- (18) *sending dematerialised instructions* (article 45(1));
- (19) *causing dematerialised instructions to be sent* (article 45(2));

- (22A) *managing a UK UCITS* (article 51ZA);
- (22B) *acting as a trustee or depository of a UCITS* (article 51ZB);
- (22C) *managing an AIF* (article 51ZC);
- (22D) *acting as a trustee or depository of an AIF* (article 51ZD);
- (22E) *establishing, operating or winding up a collective investment scheme* (article 51ZE);
- (23) *establishing, operating or winding up a stakeholder pension scheme* (article 52(a));

- (24) *providing basic advice on a stakeholder product* (article 52B);
- (25) *establishing, operating or winding up a personal pension scheme* (article 52(b));
- (26) *advising on investments (except P2P agreements)* (article 53(1));
- (26A) *advising on P2P agreements* (article 53(2));
- (27) *advising on regulated mortgage contracts* (article 53A);
- (28) *advising on a home reversion plan* (article 53B);
- (28A) *advising on a home purchase plan* (article 53C);
- (29) *advising on a regulated sale and rent back agreement* (article 53D);
- (29A) *advising on regulated credit agreements for the acquisition of land* (article 53DA)
- (29B) *advising on conversion or transfer of pension benefits* (article 53E);
- (30) *advising on syndicate participation at Lloyd's* (article 56);
- (31) *managing the underwriting capacity of a Lloyd's syndicate as a managing agent at Lloyd's* (article 57);
- (32) *arranging deals in contracts of insurance written at Lloyd's* (article 58);
- (32A) *entering into a regulated credit agreement* (article 60B(1));
- (32B) *exercising, or having the right to exercise, rights and duties under a regulated credit agreement* (article 60(B)(2);
- (32C) *entering into a regulated consumer hire agreement* (article 60N(1));
- (32D) *exercising, or having the right to exercise rights and duties under a regulated consumer hire agreement* (article 60N(2));
- (33) *entering into a regulated mortgage contract* (article 61(1));
- (34) *administering a regulated mortgage contract* (article 61(2));
- (35) *entering into a home reversion plan* (article 63B(1));
- (36) *administering a home reversion plan* (article 63B(2));
- (37) *entering into a home purchase plan* (article 63F(1));
- (38) *administering a home purchase plan* (article 63F(2));
- (38A) *entering into a regulated sale and rent back agreement* (article 63J(1));
- (38B) *administering a regulated sale and rent back agreement* (article 63J(2));
- (38C) *meeting of repayment claims* (article 63N(1)(a));
- (38D) *managing dormant asset funds (including the investment of such funds)* (article 63N(1)(b));

- (38E) *providing information in relation to a specified benchmark* (article 63O(1)(a));
- (38F) *administering a specified benchmark* (article 63O(1)(b));
- (39) *entering as provider into a funeral plan contract* (article 59);
- (39A) *carrying out a funeral plan contract as provider* (article 59(1A));
- (40) *agreeing to carry on a regulated activity* (article 64);
- (40A) *providing credit information services* (article 89A);
- (40B) *providing credit references* (article 89B);
- (41) *seeking out, referrals and identification of claims or potential claims* (article 89G);
- (42) *advice, investigation or representation in relation to a personal injury claim* (article 89H);
- (43) *advice, investigation or representation in relation to a financial services or financial product claim* (article 89I);
- (44) *advice, investigation or representation in relation to a housing disrepair claim* (article 89J);
- (45) *advice, investigation or representation in relation to a claim for a specified benefit* (article 89K);
- (46) *advice, investigation or representation in relation to a criminal injury claim* (article 89L);
- (47) *advice, investigation or representation in relation to an employment-related claim* (article 89M);

which is carried on by way of business and relates to a *specified investment* applicable to that activity or, in the case of (22A), (22B), (22C), (22D), (22E) and (23), is carried on in relation to property of any kind or, in the case of (40A) or (40B) relates to information about a person's financial standing or, in the case of (41) to (47), is or relates to *claims management services* and is carried on in *Great Britain*.