

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


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