

## Chapter 1

# Introduction to the Perimeter Guidance manual

1.4

General guidance to be found in  
PERG

1.4.1

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■ PERG 1.4.2 G has a table setting out the general *guidance* to be found in *PERG*.

1.4.2

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Table: list of general guidance to be found in *PERG*.

Chapter:	Applicable to:	About:
PERG 2: Authorisation and regulated activities	<ul style="list-style-type: none"><li>• an <i>unauthorised person</i> wishing to find out whether he needs to be <i>authorised</i> or exempt</li><li>• an <i>authorised person</i> wishing to know whether he needs to vary his <i>Part 4A permission</i></li></ul>	<ul style="list-style-type: none"><li>• the regulatory scope of the Act</li><li>• the <i>Regulated Activities Order</i></li><li>• the <i>Exemption Order</i></li><li>• the <i>Business Order</i></li></ul>
PERG 3A: Guidance on the scope of the <i>Electronic Money Regulations</i>	a <i>person</i> who needs to know <ul style="list-style-type: none"><li>• whether a particular electronic payment product is <i>electronic money</i> and whether the <i>person</i> issuing it needs to be authorised or registered under the <i>Electronic Money Regulations</i></li></ul>	<ul style="list-style-type: none"><li>• the scope of the <i>Electronic Money Regulations</i></li></ul>
PERG 4: Regulated activities connected with mortgages	any <i>person</i> who needs to know whether the activities he conducts in relation to mortgages are subject to <i>FCA</i> regulation. This is likely to include: <ul style="list-style-type: none"><li>• lenders</li><li>• administration service providers</li><li>• mortgage brokers and advisers</li></ul>	the scope of relevant orders (in particular, the <i>Regulated Activities Order</i> ) as respects activities concerned with mortgages
PERG 5:	any <i>person</i> who needs	the scope of relevant

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Insurance distribution activities	to know whether they carry on <i>insurance distribution activities</i> and are, thereby, subject to FCA regulation. This is likely to include: <ul style="list-style-type: none"> <li>• insurance brokers</li> <li>• insurance advisers</li> <li>• <i>insurance undertakings</i></li> <li>• other <i>persons</i> involved in the sale or administration of <i>contracts of insurance</i>, where these activities are secondary to their main business.</li> </ul>	orders (in particular, the <i>Regulated Activities Order</i> ) as respects activities concerned with the sale or administration of insurance
PERG 6: Identification of contracts of insurance	any <i>person</i> who needs to know whether a contract with which he is involved is a <i>contract of insurance</i>	the general principles and range of specific factors that the FCA regards as relevant in deciding whether any arrangement is a <i>contract of insurance</i>
PERG 7: Periodical publications, news services and broadcasts: application for certification	any <i>person</i> who needs to know whether he will be regulated for providing advice about investments through the medium of a periodical publication, a broadcast or a news service	<ul style="list-style-type: none"> <li>• the circumstances in which such <i>persons</i> will be carrying on the <i>regulated activities</i> of <i>advising on investments</i> or <i>advising on regulated mortgage contracts</i> (including where a request for a certificate may be appropriate)</li> <li>• how the FCA will exercise its power to grant certificates</li> </ul>
PERG 8: Financial promotion and related activities	any <i>person</i> who needs to know <ul style="list-style-type: none"> <li>• whether his communications are <i>financial promotions</i> or are subject to the restriction in section 21 of the Act or both</li> <li>• whether his activities in making or helping others to make <i>financial promotions</i> are <i>regulated activities</i>.</li> <li>• whether he is <i>marketing</i> an AIF.</li> </ul>	<ul style="list-style-type: none"> <li>• the scope of the restriction on <i>financial promotion</i> under section 21 of the Act and the main exemptions provided</li> <li>• the circumstances in which <i>persons</i> who are primarily involved in making or helping others to make <i>financial promotions</i> may themselves be conducting <i>regulated activities</i> requiring <i>authorisation</i> or exemption</li> <li>• the <i>marketing</i> of an AIF.</li> </ul>
PERG 9:	any <i>person</i> who needs	the circumstances in

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Meaning of open-ended investment company	to know whether a <i>body corporate</i> is an <i>open-ended investment company</i> as defined in section 236 of the <i>Act</i> (Open-ended investment companies) and is therefore a <i>collective investment scheme</i> .	which a <i>body corporate</i> will be an <i>open-ended investment company</i>
PERG 10: Activities related to pension schemes	Any person who needs to know whether his activities in relation to pension schemes will amount to <i>regulated activities</i> or whether the restriction in section 21 of the <i>Act</i> will apply to any <i>financial promotions</i> he may make.	<ul style="list-style-type: none"> <li>the <i>regulated activities</i> that arise in connection with the establishment and operation of pension schemes and any exclusions that may be relevant</li> <li>the circumstances in which <i>financial promotions</i> about pension schemes may be exempt from the restriction in section 21 of the <i>Act</i></li> </ul>
PERG 11: Property investment clubs and land investment schemes	Any person who needs to know whether his activities in relation to property investment clubs and land investment schemes will amount to <i>regulated activities</i> or whether the restriction in section 21 of the <i>Act</i> will apply to any <i>financial promotions</i> he may make.	<ul style="list-style-type: none"> <li>the <i>regulated activities</i> that may arise in connection with the establishment and operation of property investment clubs and land investment schemes and any exclusions that may be relevant</li> <li>the extent to which the <i>financial promotion</i> restriction in section 21 of the <i>Act</i> applies</li> </ul>
PERG 12: Running or advising on personal pension schemes	any person who needs to know whether his activities in relation to establishing, running, advising on or marketing personal pension schemes will amount to <i>regulated activities</i>	the <i>regulated activities</i> that arise in connection with establishing, running, advising on or marketing personal pension schemes and any exclusions that may be relevant
PERG 13: Guidance on the scope of the <i>UK</i> provisions which implemented MiFID	Any <i>UK person</i> who needs to know whether <i>MiFID</i> applies to them	the scope of the <i>UK</i> provisions which implemented <i>MiFID</i>
PERG 14: Home reversion, home finance and regulated sale and rent back activities	Any person who needs to know whether his activities in relation to <i>home reversion plans</i> , <i>home purchase plans</i> or <i>regulated sale and rent back agreements</i> will amount to <i>regulated activities</i> or whether the	<ul style="list-style-type: none"> <li>the <i>regulated activities</i> that arise in connection with <i>home reversion plans</i>, <i>home purchase plans</i> and <i>regulated sale and rent back agreements</i> and any exclusions that may be relevant</li> </ul>

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	restriction in section 21 of the Act will apply to any <i>financial promotions</i> he may make.	<ul style="list-style-type: none"> <li>the circumstances in which <i>financial promotions</i> about <i>home reversion plans</i>, <i>home purchase plans</i> and <i>regulated sale and rent back agreements</i> may be made without breaching the restriction in section 21 of the Act</li> </ul>
PERG 15: Guidance on the scope of the Payment Services Regulations 2009	Any person with an establishment in the UK who needs to know whether the Payment Services Directive, as transposed in UK legislation by the Payment Services Regulations 2009, applies to him.  Q46 applies specifically to persons providing payment services from an establishment outside the EEA to persons located in the UK.	the scope of the PSD Regulations 2009.
PERG 16: Scope of the Alternative Investment Fund Managers Directive	any <i>person</i> who needs to know whether a collective investment undertaking is an <i>AIF</i> .	the scope of the <i>regulated activities</i> of <i>managing an AIF</i> and <i>acting as trustee or depositary of an AIF</i> .
PERG 17: Consumer credit debt counselling	Any <i>person</i> who needs to know whether his activities in relation to debts will amount to <i>debt counselling</i> .	The scope of the <i>regulated activities</i> relating to consumer credit debt counselling.