

**GLOSSARY AMENDMENT (BIOFUELS AND BIOMASS)
INSTRUMENT 2008**

Powers exercised

- A. The Financial Services Authority makes this instrument in the exercise of the powers and related provisions listed in Schedule 4 (Powers exercised) to the General Provisions of the Handbook.
- B. The rule-making powers referred to above are specified for the purpose of section 153(2) (Rule-making instruments) of the Financial Services and Markets Act 2000.

Commencement

- C. This instrument comes into force on 6 August 2008.

Amendments to the Handbook

- D. The Glossary of definitions is amended in accordance with the Annex to this instrument.

Citation

- E. This instrument may be cited as the Glossary Amendment (Biofuels and Biomass) Instrument 2008.

By order of the Board
24 July 2008

Annex

Amendments to the Glossary of definitions

In this Annex, underlining indicates new text and striking through indicates deleted text, unless otherwise stated.

Insert the following new definitions in the appropriate alphabetical position. The text is not underlined.

<i>biofuel</i>	liquid or gaseous fuel produced from <i>biomass</i> .
<i>biofuel collective investment scheme</i>	a <i>collective investment scheme</i> , the property of which consists only of property which is <i>biofuel</i> or a <i>biofuel investment</i> or cash awaiting investment.
<i>biofuel investment</i>	any of the following: <ul style="list-style-type: none">(a) a <i>unit</i> in a <i>biofuel collective investment scheme</i>;(b) an <i>option</i> to acquire or dispose of a <i>biofuel investment</i>;(c) a <i>future</i> where the <i>commodity</i> in question is <i>biofuel</i>;(d) a <i>contract for differences</i> where the property in question is <i>biofuel</i> or a <i>biofuel investment</i> or the index or other factor in question is linked to or otherwise dependent upon fluctuations in the value or price of <i>biofuel</i> or any <i>biofuel investments</i>;(e) <i>rights to or interests in investments</i> in (a) to (d).
<i>biomass</i>	the biodegradable fraction of products, waste and residues from agricultural (including vegetal and animal substances), forestry and related industries, as well as the biodegradable fraction of industrial and municipal waste.
<i>biomass investment</i>	any of the following: <ul style="list-style-type: none">(a) a <i>unit</i> in a <i>biomass collective investment scheme</i>;(b) an <i>option</i> to acquire or dispose of a <i>biomass investment</i>;(c) a <i>future</i> where the <i>commodity</i> in question is <i>biomass</i>;(d) a <i>contract for differences</i> where the property in question is <i>biomass</i> or a <i>biomass investment</i> or the index or other factor in question is linked to or otherwise dependent upon fluctuations in the value or price of <i>biomass</i> or any <i>biomass investments</i>;

(e) *rights to or interests in investments* in (a) to (d).

biomass collective investment scheme a *collective investment scheme*, the property of which consists only of property which is *biomass* or a *biomass investment* or cash awaiting investment.

Amend the following definitions as shown.

energy *coal, electricity, natural gas* (or any by-product or form of any of them) ~~or~~ *oil or biofuel*.

energy market activity (a) any *regulated activity* in relation to an *energy investment* or to *energy*, or in relation to a *biomass investment* or *biomass* that is ancillary to activities related to *energy investments* or *energy*, which:

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oil market activity (a) any *regulated activity* in relation to an ~~*oil investment*~~ *investment* or to *oil*, or in relation to a *biofuel investment*, *biofuel*, a *biomass investment* or *biomass* that is ancillary to activities related to *oil investments* or *oil*, which:

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