

---

STATUTORY INSTRUMENTS

---

**2018 No. 1253**

The Financial Services and Markets Act 2000  
(Claims Management Activity) Order 2018

PART 1

Introductory provisions

**Carrying on a regulated claims management activity in Great Britain**

2.—(1) A person is to be treated as carrying on a regulated claims management activity in Great Britain when the activity is carried on—

- (a) by a person who is—
  - (i) an individual who is ordinarily resident in Great Britain; or
  - (ii) a person, other than an individual, who is constituted under the law of England and Wales or Scotland; or
- (b) in respect of a claimant or pursuer, or potential claimant or potential pursuer who is—
  - (i) an individual who is ordinarily resident in Great Britain; or
  - (ii) a person, other than an individual, who is constituted under the law of England and Wales or Scotland.

(2) For the purposes of this article—

- (a) a person is “ordinarily resident” in Great Britain if that person satisfies the requirements of the Statutory Residence Test as set out in Schedule 45 to the Finance Act 2013<sup>(1)</sup> either—
  - (i) at the time of the facts giving rise to the claim or potential claim; or
  - (ii) at the time when the regulated claims management activity is carried out in respect of that claimant or pursuer or potential claimant or potential pursuer;
- (b) the references to the “the UK” in the Statutory Residence Test in Schedule 45 are to be read as if they were expressed as references to “Great Britain”.