



FINANCIAL SERVICES ACT 2008

FINANCIAL SERVICES (GATEWAYS) ORDER 2008

Approved by Tynwald []

Coming into operation []

In exercise of the powers conferred on the Treasury by paragraph 2(2) of Schedule 5 to the Financial Services Act 2008^a, and of all other enabling powers, and after carrying out the consultations required by section 44(7) of that Act, the following order is hereby made: -

Citation and commencement

1. This order may be cited as the Financial Services (Gateways) Order 2008 and shall come into operation on []

Gateways

2. The Isle of Man Office of Fair Trading is designated for the purposes of paragraph 2 of Schedule 5 to the Financial Services Act 2008 in respect of its functions under the enactments listed in the Schedule.

Condition of disclosure

3. Any information disclosed under this order is confidential and shall not be disclosed to any third party without the prior written approval of the primary recipient.

Revocations

4. The Financial Supervision (Gateways) Order 1999^b and the Financial Supervision (Gateways) (Amendment) Order 2001^c are revoked

Made this [] day of [].

Minister for the Treasury

^a 2008 c.8

^b SD 8/99

^c SD 761/01

SCHEDULE

Article 2

ACTS CONTAINING FUNCTIONS OF THE ISLE OF MAN OFFICE OF FAIR TRADING

1. Auctions Act 1985^d
2. Chapmen's Act 1971^e
3. Consumer Protection Act 1991^f
4. Consumer Protection (Trade Descriptions) Act 1970^g
5. Fair Trading Act 1996^h
6. Moneylenders Act 1991ⁱ
7. Non-Resident Traders Act 1983^j
8. Timeshare Act 1996^k
9. Trade Marks Act 1994 (an Act of Parliament)^l
10. Unsolicited Goods and Services (Isle of Man) Act 1974^m
11. Video Recordings Act 1995ⁿ

^d 1985 c.26

^e 1971 c.9

^f 1991 c.11

^g XX1 p.482

^h 1996 c.15

ⁱ 1991 c.6

^j 1983 c.26

^k 1996 c.7

^l 1994 c.26 (of Parliament)

^m 1974 c.5

ⁿ 1995 c.19

EXPLANATORY NOTE
(This note is not part of the order)

This order creates a gateway for the primary recipient of restricted information to disclose it to the Isle of Man Office of Fair Trading to assist it in discharging its functions under the enactments listed in the Schedule to the order. The order also prescribes that any information disclosed under this order shall not be disclosed to third parties without the prior written approval of the primary recipient.