



Direction

To: [Firm Name] (“the *firm*”)

Ref: [Tardis Direction ref(s)]

Of: [Firm Address]

Date: [Issue Date]

PRA Rulebook (Version as in force at the date this Direction takes effect)

Power

1. This direction is given by the *PRA* under section 138A of the Financial Services and Markets Act 2000.

Duration

2. (1) This direction takes effect on [effective date].

(2) This direction ends on 7 March 2023.

Rules Modified

3. The *PRA* directs that the rules listed below apply to the firm (A) with the modifications shown.

Rule	Modification
Fitness and Propriety 2.7	<p>...</p> <p><u>(2A) In determining whether a <i>person</i> is fit and proper for the purposes of 2.1 to 2.3, a <i>firm</i> (A) is not required to request references from a current or former employer of P or any organisation referred to in (1) where the following conditions are met:</u></p> <p><u>(a) A intends to appoint P</u></p> <p style="padding-left: 40px;"><u>(i) to perform a <i>PRA senior management function</i> for A;</u></p> <p style="padding-left: 40px;"><u>(ii) to perform a <i>certification function</i> for A; or</u></p> <p style="padding-left: 40px;"><u>(iii) to be a <i>notified non-executive director</i> of A,</u></p> <p><u>(b) on 7 March 2017, P:</u></p> <p style="padding-left: 40px;"><u>(i) where (a) (i) applies, has a <i>current approved person approval</i> to</u></p>

perform the same *senior management function* for a *relevant authorised person* in the same group as A (such *person*, C);

(ii) where (a)(ii) applies, has been issued by C with a current *certificate* to performed the same *certification function* for C; or

(iii) where (iii) applies, is a *notified non-executive director* of C;

(c) for the period between 7 March 2017 and the *Transfer Date*, P has continued to meet the condition in (b);

(d) since the *Transfer Date* P

(i) where (a)(i) applies, has a current *approved person approval* to perform the same *senior management function* for A as that in (a)(i);

(ii) where (a)(ii) applies, performs the same *certification function* for A as that in (a)(ii); or

(iii) where (a)(iii) applies, is a *notified non-executive director* for A;

(e) apart from the move from C to A, there has been no significant change in P's responsibilities forming part of the *PRA senior management function* or *certification function* referred to in (b) and (d);

(f) A and C are in the same *group* on the *Transfer Date*; and

(g) the *Transfer Date* takes place on or before 31 August 2018.

(2B) For the purposes of (2A),

(a) *current approved persons approval* has the meaning set out in Senior Managers Regime - Applications and Notifications 1.2; and

(b) *Transfer Date* means the date on which the change of firm referred to in (2A)(b) and (d) by P took place.

(2C) If (2A)(e) ceases to apply with respect to P, and P continues to meet the condition in (2A)(d), the obligation on A to request a reference in accordance with (1) in respect of P will apply.

Conditions

4. This Direction applies only if the change of *firms* referred to in 2.7A (b) and (d) took place as part of a ring-fencing transfer scheme under section 106B *FSMA* from C to A.
5. A means the firm to which this Direction is issued.

Interpretation

6. Interpretative provisions (including definitions) of the *PRA Rulebook* apply to this direction in the same way they apply to the *PRA Rulebook*.

Supervision, Risk and Policy Committee
Prudential Regulation Authority