

LEGAL CUTOVER (NOTIFICATIONS) INSTRUMENT 2013

WHEREAS:

- A. The Authority has, in accordance with Article 5 of the Designation Order, appointed persons to exercise functions referred to in Article 5(1) of the Designation Order, which include the function of the Financial Conduct Authority of designating or modifying a Relevant Instrument and the functions of making rules and issuing guidance.
- B. By virtue of Article 5(3)(a) of the Designation Order the persons appointed may discharge the relevant functions as if they were the governing body of the Financial Conduct Authority.
- C. By virtue of Article 7(1) of the Designation Order this Instrument shall be treated as if it had been made by the Financial Conduct Authority acting through its governing body.
- D. Article 2(1)(c) of the Early Commencement Order commenced certain of the Financial Conduct Authority's rule making and other powers for the purposes specified in Part 3 of the Schedule to that Order.
- E. Article 2(1)(c) of the Early Commencement Order commenced certain of the Prudential Regulation Authority's rule making and other powers for the purposes specified in Part 3 of the Schedule to that Order.

Interpretation

- 1 In this Instrument (including the Recitals):
 - (1) "Designation Order" means the Financial Services Act 2012 (Transitional Provisions) (Rules and Miscellaneous Provisions) Order 2013 (SI 2013/161);
 - (2) "Early Commencement Order" means the Financial Services Act 2012 (Commencement No. 1) Order 2013 (SI 2013/113);
 - (3) "the 2000 Act" means the Financial Services and Markets Act 2000;
 - (4) "the 2012 Act" means the Financial Services Act 2012;
 - (5) "the Authority" means the Financial Services Authority;
 - (6) "Financial Conduct Authority" means the body corporate referred to in section 1A of the 2000 Act as amended by section 6 of the 2012 Act;
 - (7) "Prudential Regulation Authority" means the body corporate referred to in section 2A(1) of the 2000 Act as amended by section 6 of the 2012 Act;
 - (8) "Handbook" means the Authority's Handbook of Rules and Guidance (and including for this purpose the Handbook Guides and Regulatory Guides published by the Authority alongside the Handbook of Rules and Guidance) in each case as published on the Authority's Handbook website at 11h59 pm on 27 February 2013;
 - (9) "Relevant Instrument" has the meaning in section 119(6)(b) of the 2012 Act;
 - (10) "FSA Instrument" means an instrument published by the Authority, by which the Authority made, issued, gave, imposed or amended a Relevant Instrument;
 - (11) "FCA Relevant Instrument" means a Relevant Instrument designated by the Financial Conduct Authority under paragraph 2;
 - (12) "PRA Relevant Instrument" means a Relevant Instrument designated by the Prudential Regulation Authority under paragraph 14 and excludes any Relevant Instrument falling within paragraph 15;

Designation of rules etc. by the Financial Conduct Authority

- 2 In accordance with Article 3(1) of the Designation Order, the Financial Conduct Authority designates the rules, guidance, requirements, codes, schemes, statements or directions, set out in each FSA Instrument (or part of such instrument) by which the Authority made, issued, gave, imposed or amended each part or provision of the Handbook, identified as:
 - (1) "Designated" in Column 2 of Annex B to this Instrument; and

- (2) "FCA" or "FCA/PRA" in Column 3 of Annex B to this Instrument.
- 3 As required by Article 3(1)(c) and (d) of the Designation Order, the Financial Conduct Authority specifies that:
- (1) The FCA Relevant Instruments were made, issued, given or imposed by the Authority under the provisions set out in the relevant FSA Instrument;
 - (2) The FCA Relevant Instruments collectively were made, issued, given or imposed by the Authority under the provisions set out in column 1 of Parts 1 to 10 of Schedule A to this Instrument; and
 - (3) The FCA Relevant instruments collectively are treated as made, issued, given or imposed by the Financial Conduct Authority under the corresponding provisions set out in column 2 of Parts 1 to 10 of Schedule A to this Instrument.
- 4 In accordance with Article 2(2)(a) of the Designation Order, each FCA Relevant Instrument is treated as having been made, issued, given or imposed by the Financial Conduct Authority.

Modification of rules etc. by the Financial Conduct Authority

- 5 In accordance with Article 3(1) of the Designation Order, the Financial Conduct Authority modifies each FCA Relevant Instrument (or part of such instrument) as specified in Annex B to this Instrument.

Rules etc. made, given or amended by the Financial Conduct Authority

- 6 In accordance with Article 2(1)(c) of the Early Commencement Order and in the exercise of the powers and related provisions specified in paragraph 9, the Financial Conduct Authority makes, issues, gives, amends or imposes:
- (1) each provision in Annex A to this Instrument that meets all of the conditions in paragraph 7; and
 - (2) any amendment that is not a modification made in accordance with paragraph 5 specified in a provision in Annex B to this Instrument that meets all of the conditions in paragraph 8.
- 7 The conditions referred to in paragraph 6(1) are that a provision is:
- (1) Identified as "Made" in Column 2 of Annex B to this Instrument; and
 - (2) Identified as "FCA" or "PRA/FCA" in Column 3 of Annex B to this Instrument.
- 8 The conditions referred to in paragraph 6(2) are that a provision is:
- (1) identified as "Designated" in Column 2 of Annex B to this Instrument; and
 - (2) identified as "FCA" or "PRA/FCA" in Column 3 of Annex B to this Instrument.
- 9 The Financial Conduct Authority makes, issues, gives, amends or imposes the provisions in paragraph 6 in exercise of the following powers and related provisions of the 2000 Act, as amended by the 2012 Act:
- (1) section 137A (The FCA's general rules);
 - (2) section 137T (General supplementary powers); and
 - (3) section 139A (Power of the FCA to give guidance).
- 10 The rule-making powers in paragraph 9 are specified for the purpose of section 138G (Rule-making instruments) of the 2000 Act, as amended by the 2012 Act.

Commencement: Financial Conduct Authority

- 11 As required by Article 3(1) of the Designation Order, the Financial Conduct Authority specifies that the designation (in paragraph 2) and the modification (in paragraph 5) of each FCA Relevant Instrument comes into effect on 1 April 2013.
- 12 The Financial Conduct Authority directs that paragraph 6 of this Instrument comes into effect on 1 April 2013.

- 13 The Financial Conduct Authority directs that paragraph 6 of this Instrument comes into force immediately after the coming into force of the designations in paragraph 2 and the modifications in paragraph 5.

Designation of rules etc. by the Prudential Regulation Authority

- 14 In accordance with Article 3(1) of the Designation Order, the Prudential Regulation Authority designates the rules, requirements, codes, schemes, statements or directions, set out in each FSA Instrument (or part of such instrument) by which the Authority made, gave or amended the part or provision of the Handbook identified as:
- (1) "Designated" in Column 2 of Annex B to this Instrument; and
 - (2) "PRA" or "FCA/PRA" in Column 3 of Annex B to this Instrument.
- 15 The designation by the Prudential Regulation Authority in paragraph 14 excludes any provision designated as guidance in an FSA Instrument.
- 16 As required by Article 3(1)(c) and (d) of the Designation Order, the Prudential Regulation Authority specifies that:
- (1) The PRA Relevant Instruments were made, issued, given or imposed by the Authority under the provisions set out in the relevant FSA Instrument;
 - (2) The PRA Relevant Instruments collectively were made, issued, given or imposed by the Authority under the provisions set out in column 1 of Parts 1 to 10 of Schedule A to this Instrument; and
 - (3) The PRA Relevant instruments collectively are treated as made, issued, given or imposed by the Prudential Regulation Authority under the corresponding provisions set out in column 3 of Parts 1 to 10 of Schedule A to this Instrument.
- 17 In accordance with Article 2(2)(a) of the Designation Order, each PRA Relevant Instrument is treated as having been made, issued, given or imposed by the Prudential Regulation Authority.

Modification of rules etc. by the Prudential Regulation Authority

- 18 In accordance with Article 3(1) of the Designation Order, the Prudential Regulation Authority modifies each PRA Relevant Instrument (or part of such instrument) as specified in Annex C to this Instrument.

Rules etc. made, given or amended by the Prudential Regulation Authority

- 19 In accordance with Article 2(1)(c) of the Early Commencement Order and in the exercise of the powers and related provisions specified in paragraph 22, the Prudential Regulation Authority makes, issues, gives, amends or imposes:
- (1) each provision in Annex A to this Instrument that meets all of the conditions in paragraph 20; and
 - (2) any amendment that is not a modification made in accordance with paragraph 18 specified in a provision in Annex B to this Instrument that meets all of the conditions in paragraph 21.
- 20 The conditions referred to in paragraph 19(1) are that a provision is:
- (1) Identified as "Made" in Column 2 of Annex B to this Instrument; and
 - (2) Identified as "PRA" or "PRA/FCA" in Column 3 of Annex B to this Instrument.
- 21 The conditions referred to in paragraph 19(2) are that a provision is:
- (1) identified as "Designated" in Column 2 of Annex B to this Instrument; and
 - (2) identified as "PRA" or "PRA/FCA" in Column 3 of Annex B to this Instrument.
- 22 The Prudential Regulation Authority makes, gives, amends or imposes the provisions in paragraph 19 in exercise of the following powers and related provisions of the 2000 Act, as amended by the 2012 Act:
- (1) section 137G (The PRA's general rules); and
 - (2) section 137T (General supplementary powers).

- 23 The rule-making powers in paragraph 22 are specified for the purpose of section 138G (Rule-making instruments) of the 2000 Act, as amended by the 2012 Act.
- 24 The Prudential Regulation Authority gives as guidance:
- (1) each provision in Annex A to this instrument identified as “PRA” or “FCA/PRA” in Column 3 of Annex B that is marked with a G in Column 1 of Annex B to this Instrument; and
 - (2) each provision listed in Annex B to this Instrument identified as “PRA” or “FCA/PRA” in Column 3 of Annex B that is (a) marked with a G in Column 1 of Annex B to this Instrument and (b) not in Annex A to this Instrument.

Commencement: Prudential Regulation Authority

- 25 As required by Article 3(1) of the Designation Order, the Prudential Regulation Authority specifies that the designation (in paragraph 14) and the modification (in paragraph 18) of each PRA Relevant Instrument comes into effect on 1 April 2013
- 26 The Prudential Regulation Authority directs that paragraph 18 of this Instrument comes into effect on 1 April 2013.
- 27 The Prudential Regulation Authority directs that paragraph 19 of this Instrument comes into force immediately after the coming into force of the designations in paragraph 14 and the modifications in paragraph 18.

Amendments to the Handbooks

- 28 The Supervision manual (SUP) of the FCA’s and PRA’s Handbooks of rules and guidance is amended in accordance with Annex A to this Instrument.

Citation

- 29 This Instrument may be cited as the Legal Cutover (Notifications) Instrument 2013.

By order of the persons appointed under Article 5 of the Designation Order to discharge specified functions of the Financial Conduct Authority as if they were its governing body

19 March 2013

By order of the Board of the Prudential Regulation Authority

22 March 2013

Annex A

Amendments to the Supervision manual (SUP)

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

15 Notifications to the ~~FSA~~ FCA or PRA

...

15.2 Purpose

15.2.1 G A *firm* is required to provide the ~~FSA~~ appropriate regulator with a wide range of information to enable the ~~FSA~~ appropriate regulator to meet its responsibilities for monitoring the *firm's* compliance with requirements imposed by or under the *Act*. Some of this information is provided through regular reports, including those set out in *SUP* 16 (Reporting requirements) and *SUP* 17 (Transaction reporting). In addition, other chapters in the *Handbook* set out specific notification and reporting requirements. *Principle* 11 includes a requirement for a *firm* to disclose to the ~~FSA~~ appropriate regulator appropriately anything relating to the *firm* of which the ~~FSA~~ appropriate regulator would reasonably expect notice.

15.2.2 G This chapter sets out:

[FCA/
PRA]

- (1) ...
- (2) *rules* on events and changes in condition that a *firm* must notify; these are the types of event that the ~~FSA~~ appropriate regulator must be informed about, usually as soon as possible, if it is to be able to carry out its monitoring function effectively and react in good time to developments that may require a regulatory response;
- (3) *rules* on the core information that a *firm* must provide to the ~~FSA~~ appropriate regulator, for example its name and address and the names of its other regulators, so that the ~~FSA~~ appropriate regulator is able to maintain a relationship with the *firm* and with those regulators;
- (4) *rules* requiring a *firm* to ensure that information provided to the ~~FSA~~ appropriate regulator is accurate and complete; section 398 of the *Act* makes it an offence knowingly or recklessly to provide the ~~FSA~~ appropriate regulator with information which is false or misleading in a material particular, in purported compliance with any requirement imposed by or under the *Act*; the purpose of the *rules* in *SUP* 15.6 is to ensure that *firms* take due care to ensure the accuracy of information and to require them to ensure that information is not only accurate but also complete; and
- (5) material (in *SUP* 15.10 (Notification of suspicious transactions (market abuse))) to implement the provisions of the *Market Abuse Directive* for the reporting of transactions about which there is reasonable suspicion of *market abuse*.

15.2.3 G *Rules* and *guidance* have also been included to set out how *firms* should make a notification and to determine when it may be appropriate to discuss matters with their usual supervisory contact at the appropriate regulator by telephone (*SUP* 15.7).

[FCA/
PRA]

...

- 15.2.5 [PRA] G Where a PRA-*authorised person* is required to notify (a) the *appropriate regulator* by a PRA Handbook provision and (b) the FCA by the equivalent provision in the FCA Handbook, the PRA-*authorised person* is expected to comply with both provisions.

15.3 General notification requirements

Matters having a serious regulatory impact

- 15.3.1 [FCA/PRA] R A *firm* must notify the ~~FSA~~ *appropriate regulator* immediately it becomes aware, or has information which reasonably suggests, that any of the following has occurred, may have occurred or may occur in the foreseeable future:

...

- 15.3.2 [FCA/PRA] G The circumstances which may give rise to any of the events in SUP 15.3.1R are wide-ranging and the probability of any matter resulting in such an outcome, and the severity of the outcome, may be difficult to determine. However, the ~~FSA~~ *appropriate regulator* expects *firms* to consider properly all potential consequences of events.

- 15.3.3 [FCA/PRA] G In determining whether the *appropriate regulator* should be notified of an event that may occur in the foreseeable future ~~should be notified to the FSA~~, a *firm* should consider both the probability of the event happening and the severity of the outcome should it happen.

...

- 15.3.5 [FCA/PRA] G A *firm* making a notification in accordance with SUP 15.3.1R should consider the *guidance* in SUP 15.7.2G and notify the ~~FSA~~ *appropriate regulator* by telephone if appropriate.

- 15.3.6 [PRA] G An *insurer* or *friendly society* making a notification under SUP 15.3.1R(1) relating to satisfaction of the *threshold condition 4* (Adequate resources) set out in paragraph 4D of Schedule 6 to the Act should be aware of the requirements in SUP App 2 (Scheme of operations).

Communication with the ~~FSA~~ *appropriate regulator* in accordance with Principle 11

- 15.3.7 [FCA/PRA] G *Principle 11* requires a *firm* to deal with its regulators in an open and cooperative way and to disclose to the ~~FSA~~ *appropriate regulator* appropriately anything relating to the *firm* of which the ~~FSA~~ *appropriate regulator* would reasonably expect notice. *Principle 11* applies to *unregulated activities* as well as *regulated activities* and takes into account the activities of other members of a *group*.

- 15.3.7A [FCA] G Although *PRIN* does not apply to a *firm* in relation to its carrying on of *auction regulation bidding*, the ~~FSA~~ *FCA* expects to be given notice of events that are material to the ~~FSA's~~ *FCA's* supervision of that business and so *firms* carrying on that business should have regard to the *guidance* in SUP 15.3.8G to SUP 15.3.10G.

- 15.3.8 G Compliance with *Principle 11* includes, but is not limited to, giving the ~~FSA~~

[FCA/
PRA]

appropriate regulator notice of:

(1) ...

...

- (i) in relation to a *dormant account fund operator*, notify the ~~FSA~~ appropriate regulator when the operator intends to rely on a third party for the performance of operational functions which are critical or important for the performance of relevant services and activities in connection with *operating a dormant account fund* on a continuous and satisfactory basis;

...

15.3.9
[FCA/
PRA]

- G The period of notice given to the ~~FSA~~ appropriate regulator will depend on the event, although the ~~FSA~~ appropriate regulator expects a *firm* to discuss relevant matters with it at an early stage, before making any internal or external commitments.

15.3.10
[FCA/
PRA]

- G A notification under *Principle 11* may be given orally or in writing (as set out in *SUP 15.7.1R* and *SUP 15.7.2G*), although the ~~FSA~~ appropriate regulator may request written confirmation of a matter. However, it is the responsibility of a *firm* to ensure that matters are properly and clearly communicated to the ~~FSA~~ appropriate regulator. A *firm* should provide a written notification if a matter either is complex or may be such as to make it necessary for the ~~FSA~~ appropriate regulator to take action. A *firm* should also have regard to *Principle 11* and the *guidance* in *SUP 15.7.2G* in respect of providing important information promptly.

Breaches of rules and other requirements in or under the Act

15.3.11
[FCA/
PRA]

- R (1) A *firm* must notify the ~~FSA~~ appropriate regulator of:

...

...

15.3.13
[FCA/
PRA]

- G In assessing whether an event that may occur in the foreseeable future should be notified to the ~~FSA~~ appropriate regulator, a *firm* should consider the *guidance* in *SUP 15.3.3G*.

...

Civil, criminal or disciplinary proceedings against a firm

15.3.15
[FCA/
PRA]

- R A *firm* must notify the ~~FSA~~ appropriate regulator immediately if:

...

- (3) disciplinary measures or sanctions have been imposed on the *firm* by any statutory or regulatory authority, professional organisation or trade body (other than the ~~FSA~~ appropriate regulator) or the *firm* becomes aware that one of those bodies has started an investigation into its affairs; or

...

...

Fraud, errors and other irregularities

15.3.17 R A *firm* must notify the *FSA appropriate regulator* immediately if one of the following
[FCA/ events arises and the event is significant:
PRA]

...

15.3.19 G The notifications under SUP 15.3.17R are required as the *FSA appropriate
[FCA/ regulator* needs to be aware of the types of fraudulent and irregular activity which
PRA] are being attempted or undertaken, and to act, if necessary, to prevent effects on *consumers* or other *firms*. A notification under SUP 15.7.3G should provide all relevant and significant details of the incident or suspected incident of which the *firm* is aware.

15.3.20 G In addition, the *firm* may have suffered significant financial losses as a result of the
[FCA/ incident, or may suffer reputational loss, and the *FSA appropriate regulator* will wish
PRA] to consider this and whether the incident suggests weaknesses in the *firm's internal controls*.

Insolvency, bankruptcy and winding up

15.3.21 R A *firm* must notify the *FSA appropriate regulator* immediately of any of the following
[FCA/ events:
PRA]

...

Lloyd's of London

15.3.22 D SUP 15.3.23D to SUP 15.3.25D are given in relation to the exercise of the powers
[FCA/ of the *Society* and of the *Council* generally, with a view to achieving the objective of
PRA] enabling the *FSA appropriate regulator* to:

(1) comply with its general duty under section 314 of the *Act* (~~Authority's~~
Regulators' general duty);

...

(3) enforce the provisions of the *Act*, or requirements made under the *Act*, by
enabling the *FSA appropriate regulator* to consider, where appropriate,
whether it should use its powers, for example, to:

(a) vary or cancel the *permission* of an *underwriting agent*, under section
45 55J of the *Act* (~~Variation etc on the Authority's own~~ cancellation
on initiative of regulator);

...

(d) require an *underwriting agent* to make restitution, under section 384
of the *Act* (~~Power of Authority~~ FCA or PRA to require restitution) (see
EG 11);

...

(g) prosecute any criminal offence that the *FSA appropriate regulator*
has power to prosecute under the *Act* (see EG 12).

15.3.23 D The *Society* must immediately inform the *FSA appropriate regulator* in writing if it
[FCA/ becomes aware that any matter likely to be of material concern to the *FSA*

PRA] appropriate regulator may have arisen in relation to:

...

15.3.24 D The *Society* must inform the *FSA appropriate regulator* if it commences
[FCA/ investigations or disciplinary proceedings relating to apparent breaches:
PRA]

...

15.3.25 D The *Society* must inform the *FSA appropriate regulator* if it commences
[FCA/ investigations or disciplinary proceedings which do not fall within the scope of SUP
PRA] 15.3.24D but which:

...

15.4 Notified persons

15.4.1 R (1) An *overseas firm*, which is not an *incoming firm*, must notify the *FSA*
[FCA/ appropriate regulator within 30 *business days* of any *person* taking up or
PRA] ceasing to hold the following positions:

...

(b) the *person* within the *overseas firm* with a purely strategic responsibility for *UK* operations (see SUP 10.7.4G);

...

(2) The notification in (1) must be submitted in the form set out in Form F (SUP 15 Ann 2R). However, if the *person* is an *approved person*, notification giving details of his name, the *approved person's FSA* individual reference number and the position to which the notification relates, is sufficient.

15.4.2 G SUP 15.4.1R is not made under the powers conferred on the *FSA appropriate*
[FCA/ regulator by Part V of the *Act* (Performance of Regulated Activities). A *person*
PRA] notified to the *FSA appropriate regulator* under SUP 15.4.1R is not subject to the *Statements of Principle* or *Code of Practice for Approved Persons*, unless he is also an *approved person*.

15.4.3 R (1) A *firm* other than a *credit union* must submit the form in SUP 15 Ann 2R
[FCA/ online at www.fsa.gov.uk using the *FSA's appropriate regulator's* ONA
PRA] system.

...

(3) Where a *firm* is obliged to submit an application online under (1), if the *FSA appropriate regulator's* information technology systems fail and online submission is unavailable for 24 hours or more, until such time as facilities for online submission are restored, a *firm* must submit the form in SUP 15 Ann 2R, in the way set out in SUP 15.7.4R to SUP 15.7.9G (Form and method of notification).

15.4.3A G (1) If the *FSA's appropriate regulator's* information technology systems fail and
[FCA/ online submission is unavailable for 24 hours or more, the *FSA appropriate*
PRA] regulator will endeavour to publish a notice on its website confirming that online submission is unavailable and that the alternative methods of submission set out in SUP 15.4.3R(3) and SUP 15.7.4R to SUP 15.7.9G

(Form and method of notification) should be used.

...

- 15.4.4 [FCA/PRA] G If adverse information is revealed about a *person* notified to the *FSA appropriate regulator* under SUP 15.4.1R, the *FSA appropriate regulator* may exercise its *own-initiative power* against the *firm* (see SUP 7 (Individual requirements)).

15.5 Core information requirements

Change in name

- 15.5.1 [FCA/PRA] R A *firm* must give the *FSA appropriate regulator* reasonable advance notice of a change in:

...

...

- 15.5.3 [FCA/PRA] G *Firms* are reminded that certain name changes (for example, to include 'Limited') may also require a notification under SUP ~~15.5.5R~~ 5.5.1R.

Change in address

- 15.5.4 [FCA/PRA] R A *firm* must give the *FSA appropriate regulator* reasonable advance notice of a change in any of the following addresses, and give details of the new address and the date of the change:

...

Change in telephone numbers

- 15.5.5 [FCA/PRA] R A *firm* must give the *FSA appropriate regulator* reasonable advance notice of a change in any of the following telephone numbers, and give details of the new telephone number and the date of the change:

...

- 15.5.6 [FCA/PRA] G SUP 15.5.4R and SUP 15.5.5R mean that a *firm* should notify the *FSA appropriate regulator* of a change in telephone number even if the address of the office is not changing.

Other regulators

- 15.5.7 [FCA/PRA] R A *firm* must notify the *FSA appropriate regulator* immediately if it becomes subject to or ceases to be subject to the supervision of any *overseas regulator* (including a *Home State regulator*).

- 15.5.8 [FCA/PRA] G The *FSA's appropriate regulator's* approach to the supervision of a *firm* is influenced by the regulatory regime and any legislative or foreign provisions to which that *firm*, including its branches, is subject.

Submitting notifications to the *FSA appropriate regulator*

- 15.5.9 R (1) A *firm* other than a *credit union* must submit any notice under SUP 15.5.1R,

[FCA/
PRA] SUP 15.5.4R, ~~and SUP 15.5.5R and SUP 15.5.7R~~ by submitting the form in SUP 15 Ann 3R online at ~~www.fsa.gov.uk~~ the appropriate regulator's website.

- (2) ...
- (3) Where a *firm* is obliged to submit a notice online under (1), if the ~~FSA's~~ appropriate regulator's information technology systems fail and online submission is unavailable for 24 hours or more, until such time as facilities for online submission are restored, a *firm* must submit any notice under SUP 15.5.1R, SUP 15.5.4R, ~~and SUP 15.5.5R and SUP 15.5.7R~~ in the form in SUP 15 Ann 3R and in the way set out in SUP 15.7.4R to SUP 15.7.9G (Form and method of notification).
- (4) A firm must submit any notice required under SUP 15.5.7R by submitting the form in SUP 15 Annex 4R in the way set out in SUP 15.7.4R to SUP 15.7.9G (Form and method of notification).

15.5.10 [FCA/
PRA] G (1) If the ~~FSA's~~ appropriate regulator's information technology systems fail and online submission is unavailable for 24 hours or more, the ~~FSA~~ appropriate regulator will endeavour to publish a notice on its website confirming that online submission is unavailable and that the alternative methods of submission set out in SUP 15.5.9R(3) and SUP 15.7.4R to SUP 15.7.9G (Form and method of notification) should be used.

(2) Where SUP 15.5.9R(3)(2) applies to a *firm*, GEN 1.3.2R (Emergency) does not apply.

15.6 Inaccurate, false or misleading information

15.6.1 [FCA/
PRA] R A *firm* must take reasonable steps to ensure that all information it gives to the ~~FSA~~ appropriate regulator in accordance with a *rule* in any part of the *Handbook* (including *Principle 11*) is:

- (1) ...
- (2) complete, in that it should include anything of which the ~~FSA~~ appropriate regulator would reasonably expect notice.

15.6.2 [FCA/
PRA] G ...

- (1) *Principle 11*, and the guidance on *Principle 11* in SUP 2 (Information gathering by the ~~FSA~~ FCA and PRA on ~~its~~ their own initiative);
- (2) SUP 15 (Notifications to the ~~FSA~~ appropriate regulator);

...

15.6.3 [FCA/
PRA] G If a *firm* is unable to obtain the information required in SUP 15.6.1R(2), then it should inform the ~~FSA~~ appropriate regulator that the scope of the information provided is, or may be, limited.

15.6.4 [FCA/
PRA] R If a *firm* becomes aware, or has information that reasonably suggests that it has or may have provided the ~~FSA~~ appropriate regulator with information which was or may have been false, misleading, incomplete or inaccurate, or has or may have changed in a material particular, it must notify the ~~FSA~~ appropriate regulator

immediately. Subject to SUP 15.6.5R, the notification must include:

...

...

- 15.6.6 [FCA/PRA] G The ~~FSA~~ appropriate regulator may request the *firm* to provide revised documentation containing the correct information, if appropriate.
- 15.6.7 [FCA/PRA] G ~~Firms~~ are reminded that section 398 of the ~~Act~~ (Misleading the Authority ~~FCA or PRA~~: residual cases) makes it an *offence* for a *firm* knowingly or recklessly to provide the ~~FSA~~ appropriate regulator with information which is false or misleading in a material particular in purported compliance with the ~~FSA's~~ appropriate regulator's rules or any other requirement imposed by or under the ~~Act~~. An offence by a *body corporate, partnership* or unincorporated association may be attributed to an *officer* or certain other *persons* (section 400 of the ~~Act~~ (Offences by bodies corporate etc)).

15.7 Form and method of notification

Form of notification: oral or written

- 15.7.1 [FCA/PRA] R A notification required from a *firm* under any *notification rule* must be given in writing, and in English, and must be submitted on the form specified for that *notification rule*, or if no form is specified, on the form in SUP 15 Ann 4R (Notification form), and must give the *firm's* ~~FSA~~ Firm Reference Number unless:
- ...
- 15.7.2 [FCA/PRA] G A *firm* should have regard to the urgency and significance of a matter and, if appropriate, should also notify its usual supervisory contact at the ~~FSA~~ appropriate regulator by telephone or by other prompt means of communication, before submitting a written notification. Oral notifications should be given directly to the *firm's* usual supervisory contact at the appropriate regulator. An oral notification left with another person or left on a voicemail or other automatic messaging service is unlikely to have been given appropriately.
- 15.7.3 [FCA/PRA] G The ~~FSA~~ appropriate regulator is entitled to rely on any information it receives from a *firm* and to consider any notification received as being made by a *person* authorised by the *firm* to do so. A *firm* should therefore consider whether it needs to put procedures in place to ensure that only appropriate *employees* make notifications to the ~~FSA~~ appropriate regulator on its behalf.

Method of notification

- 15.7.4 [FCA/PRA] R Unless stated in the *notification rule*, or on the relevant form (if specified), a written notification required from a *firm* under any *notification rule* must be:
- (1) given to or addressed for the attention of the *firm's* usual supervisory contact at the ~~FSA~~ appropriate regulator; and
 - (2) delivered to the ~~FSA~~ appropriate regulator by one of the methods in SUP 15.7.5AR or SUP 15.7.5BR as applicable:

15.7.5 R Methods of notification [deleted]

Method of delivery	
1.	Post to the appropriate address in SUP 15.7.6G
2.	Leaving the notification at the appropriate address in SUP 15.7.6G and obtaining a time-stamped receipt
3.	Electronic mail to an address for the <i>firm's</i> usual supervisory contact at the FSA and obtaining an electronic confirmation of receipt
4.	Hand delivery to the <i>firm's</i> usual supervisory contact at the FSA
5.	Fax to a fax number for the <i>firm's</i> usual supervisory contact at the FSA and receiving a successful transmission report for all pages of the notification.
6.	Online submission via the FSA's website at www.fsa.gov.uk.

15.7.5A R Methods of notification
[FCA]

Method of delivery	
<u>1.</u>	<u>Post to the appropriate address in SUP 15.7.6AG</u>
<u>2.</u>	<u>Leaving the notification at the appropriate address in SUP 15.7.6AG and obtaining a time-stamped receipt</u>
<u>3.</u>	<u>Electronic mail to an address for the <i>firm's</i> usual supervisory contact at the FCA and obtaining an electronic confirmation of receipt</u>
<u>4.</u>	<u>Hand delivery to the <i>firm's</i> usual supervisory contact at the FCA</u>
<u>5.</u>	<u>Fax to a fax number for the <i>firm's</i> usual supervisory contact at the FCA and receiving a successful transmission report for all pages of the notification.</u>
<u>6.</u>	<u>Online submission via the FCA's website at www.fca.org.uk.</u>

15.7.5B R Methods of notification
[PRA]

Method of delivery	
<u>1.</u>	<u>Post to the appropriate address in SUP 15.7.6BG</u>
<u>2.</u>	<u>Leaving the notification at the appropriate address in SUP 15.7.6BG and obtaining a time-stamped receipt</u>
<u>3.</u>	<u>Electronic mail to an address for the <i>firm's</i> usual supervisory contact</u>

	<u>at the PRA and obtaining an electronic confirmation of receipt</u>
4.	<u>Hand delivery to the firm's usual supervisory contact at the PRA</u>
5.	<u>Fax to a fax number for the firm's usual supervisory contact at the PRA and receiving a successful transmission report for all pages of the notification.</u>
6.	<u>Online submission via the PRA's website at www.bankofengland.co.uk/pr.</u>

15.7.6 G The current published address of the FSA for postal submission or hand delivery of notifications is: [deleted]

(1) The Financial Services Authority
25 The North Colonnade
Canary Wharf
London E14 5HS

if the firm's usual supervisory contact at the FSA is based in London, or

(2) The Financial Services Authority
Quayside House
127 Fountainbridge
Edinburgh EH3 8DJ

if the firm's usual supervisory contact at the FSA is based in Edinburgh.

15.7.6A [FCA] G The current published address of the FCA for postal submission or hand delivery of notifications is:

(1) The Financial Conduct Authority
25 The North Colonnade
Canary Wharf
London E14 5HS

if the firm's usual supervisory contact at the FCA is based in London, or

(2) The Financial Conduct Authority
Quayside House
127 Fountainbridge
Edinburgh EH3 8DJ

if the firm's usual supervisory contact at the FCA is based in Edinburgh.

15.7.6B [PRA] G The current published address of the PRA for postal submission or hand delivery of notifications is:

The Prudential Regulation Authority
20 Moorgate
London EC2R 6DA

15.7.7 [FCA] G If the firm or its group is subject to lead supervision arrangements by the FSA *appropriate regulator*, the firm or group may give or address a notice under SUP 15.7.4R(1) to the supervisory contact at the FSA *appropriate regulator*, designated

- PRA] as lead supervisor, if the *firm* has chosen to make use of the lead supervisor as a central point of contact (see SUP 1.5).
- 15.7.8 [FCA/ PRA] G If a *firm* is a member of a *group* which includes more than one *firm*, any one *undertaking* in the *group* may notify the *FSA appropriate regulator* on behalf of all *firms* in the *group* to which the notification applies. In this way, that *undertaking* may satisfy the obligation of all relevant *firms* in the *group* to notify the *FSA appropriate regulator*. Nevertheless, the obligation to make the notification remains the responsibility of the individual *firm* itself. See also SUP 15.7.3G.
- 15.7.9 [FCA/ PRA] G *Firms* wishing to communicate with the *FSA appropriate regulator* by electronic mail or fax should obtain the appropriate address or number from the *FSA appropriate regulator*.

Timely notification

- 15.7.10 [FCA/ PRA] R If a *notification rule* requires notification within a specified period:
- (1) the *firm* must give the notification so as to be received by the *FSA appropriate regulator* no later than the end of that period; and
 - (2) if the end of that period falls on a *day* which is not a *business day*, the notification must be given so as to be received by the *FSA appropriate regulator* no later than the first *business day* after the end of that period.

...

Underwriting agents: notification to the Society of Lloyd's

- 15.7.12 R (1) ~~Paragraph (2) applies in relation to notifications required under this chapter within the scope of any arrangements made by the FSA with the Society of Lloyd's under paragraph 6(2) of Schedule 1 to the Act. [deleted]~~
- (2) ~~An underwriting agent must submit the notifications in (1) to the Society of Lloyd's rather than to the FSA. [deleted]~~
- 15.7.13 G ~~Paragraph 6(2) of Schedule 1 to the Act enables the FSA to make arrangements which provide for monitoring functions to be performed by any body or person who, in its opinion, is competent to perform them. Arrangements made under this provision are published by the FSA. [deleted]~~
- 15.7.14 [FCA/ PRA] G The *FSA appropriate regulator* has made arrangements with the *Society of Lloyd's* with respect to the monitoring of *underwriting agents*. *Underwriting agents* should check whether these arrangements provide for any notifications required under this chapter to be sent to the *Society* instead of to the *FSA appropriate regulator*. For further details see the *FSA appropriate regulator's* website.

...

Service of Notices Regulations

- 15.7.16 [FCA/ PRA] G The Financial Services and Markets Act 2000 (Service of Notices) Regulations 2001 (SI 2001/1420) contain provisions relating to the service of documents on the *FSA appropriate regulator*. They do not apply to notifications required under *notification rules* because of the specific *rules* in this section.

15.8 Notification in respect of particular products and services

Management of occupational pension scheme assets

- 15.8.1 R A *firm* which manages the assets of an *occupational pension scheme* must notify
[FCA] the ~~FSA~~ FCA as soon as reasonably practicable if it receives any request or instruction from a trustee which it:

...

Individual Pension Accounts

- 15.8.2 R If a *firm* begins or ceases to administer *individual pension accounts*, it must notify
[FCA] the ~~FSA~~ FCA as soon as reasonably practicable that it has done so.

Insurers' commission clawback

- 15.8.3 R (1) An *insurer* must notify the ~~FSA~~ FCA in respect of any *firm* (the
[FCA] "intermediary") as soon as reasonably practicable if:

...

...

Money service business and trust or company service providers

- 15.8.4 G (1) In accordance with article 31 of the *Money Laundering Regulations*, with
[FCA] effect from 15 December 2007, a *firm* is required to notify the ~~FSA~~ FCA:

...

...

- 15.8.5 G A *firm* which is already operating a money service business or a trust or company
[FCA] service provider as at 15 December 2007 is required by the *Money Laundering Regulations* to notify the ~~FSA~~ FCA of that fact and should do so in the manner specified in SUP 15.8.4G(2) before 15 January 2008.

Delegation by UK UCITS management companies

- 15.8.6 R If a *UK UCITS management company* intends to delegate to a third party any one
[FCA] or more of its functions for the more efficient conduct of its business, it must first inform the ~~FSA~~ FCA in an appropriate manner.

[Note: article 13(1)(a) of the *UCITS Directive*]

...

CTF providers

- 15.8.8 R (1) If a *firm* begins or ceases to hold itself out as acting as a *CTF provider*, it
[FCA] must notify the ~~FSA~~ FCA as soon as reasonably practicable that it has done so.

- (2) A *firm* that acts as a *CTF provider* must provide the ~~FSA~~ FCA, as soon as reasonably practicable, with details of:

...

15.8.9 R A *BIPRU firm* must report to the ~~FSA~~ appropriate regulator immediately any case in
[FCA/ which its counterparty in a *repurchase agreement* or *reverse repurchase agreement*
PRA] or *securities or commodities lending or borrowing transaction* defaults on its
obligations.

15.9 Notifications by members of financial conglomerates

15.9.1 R A *firm* that is a *regulated entity* must notify the ~~FSA~~ appropriate regulator
[FCA/ immediately it becomes aware that any *consolidation group* of which it is a member:
PRA]

...

...

15.9.4 R A *firm* does not have to give notice to the ~~FSA~~ appropriate regulator under *SUP*
[FCA/ 15.9.1R if it or another member of the *consolidation group* has already given notice
PRA] of the relevant fact to:

(1) the ~~FSA~~ appropriate regulator, or

...

15.10 Reporting suspicious transactions (market abuse)

...

Notification of suspicious transactions: general

15.10.2 R A *firm* which *arranges* or *executes* a transaction with or for a client in a *qualifying*
[FCA] *investment* admitted to trading on a *prescribed market* and which has reasonable
grounds to suspect that the transaction might constitute *market abuse* must notify
the ~~FSA~~ FCA without delay.

[**Note:** Article 6(9) *Market Abuse Directive*]

Notification of suspicious transactions: investment firms and credit institutions

...

15.10.4 G (1) Notification of suspicious transactions to the ~~FSA~~ FCA requires sufficient
[FCA] indications (which may not be apparent until after the transaction has taken
place) that the transaction might constitute *market abuse*. In particular a *firm*
will need to be able to explain the basis for its suspicion when notifying the
~~FSA~~ FCA (see *SUP* 15.10R). Certain transactions by themselves may seem
completely devoid of anything suspicious, but might deliver such indications
of possible *market abuse*, when seen in perspective with other transactions,
certain behaviour or other information (though *firms* are not expected to
breach effective information barriers put in place to prevent and avoid
conflicts of interest so as actively to seek to detect suspicious transactions).
[**Note:** Recital 9 2004/72/EC]

...

...

Content of notification: investment firms and credit institutions

- 15.10.6 [FCA] R (1) If an *investment firm* or a *credit institution* is obliged to make a notification to the ~~FSA~~ FCA under this section, it must transmit to the ~~FSA~~ FCA the following information:
- ...
- (2) In addition the following information must be provided to the ~~FSA~~ FCA as soon as it becomes available:
- ...

Means of notification: investment firms and credit institutions

- 15.10.7 [FCA] R An *investment firm* or a *credit institution* making a notification to the ~~FSA~~ FCA under this section may do so:
- (1) by mail to:
Market Conduct Team
25 The North Colonnade
Canary Wharf
London E14 5HS; or
- (2) by electronic mail to ~~market.abuse@fsa.gov.uk~~ market.abuse@fca.org.uk;
- (3) by facsimile to the Market Conduct Team on 020 7066 4099 4091; or
- (4) by telephone to the market abuse helpline 020 7066 4900. [**Note:** Article 10 2004/72/EC]

- 15.10.8 [FCA] G (1) If a notification is made by telephone, the ~~FSA~~ FCA may subsequently request confirmation of the notification in writing. [**Note:** Article 10 2004/72/EC]
- (2) When making a notification in writing it may be convenient to use the form for suspicious transaction reports provided on the ~~FSA's~~ FCA's website. This form follows the common standard approved by ESMA (formerly known as CESR).

Liability and professional secrecy: investment firms and credit institutions

- 15.10.9 [FCA] R (1) An *investment firm* or a *credit institution* which notifies the ~~FSA~~ FCA under this section must not inform any other *person*, in particular the *persons* on behalf of whom the transaction has been carried out or parties related to those persons, of this notification, except in accordance with an obligation imposed by or under statute.
- (2) Notwithstanding any other provision of the *Handbook* a notification in good faith under this section to the ~~FSA~~ FCA does not constitute a breach of any restriction on disclosure of information imposed by the *Handbook*. [**Note:** Article 11 2004/72/EC]

Note: Section 131A of the *Act* sets out additional protections from liability for a *person* who makes a notification to the ~~FSA~~ FCA under this section (or who passes the relevant information to someone designated by his employer to do so).

15 Annex 1R
[FCA/ PRA]

Application of SUP 15 to incoming EEA firms and incoming Treaty firms

1 .	<i>SUP 15 applies in full to an incoming EEA firm, or incoming Treaty firm, which has a top-up permission.</i>
2 .	<i>SUP 15 does not apply to an incoming EEA firm which has permission for cross border services only and which does not carry on regulated activities in the United Kingdom. [deleted]</i>
2A	<i>SUP 15 does not apply to an EEA pure reinsurer which does not have a top-up permission. [deleted]</i>
3 .	For any other <i>incoming EEA firm</i> or <i>incoming Treaty firm</i> , SUP 15 applies as set out in the following table.

Applicable sections		Application
...		
SUP 15.3.7G to SUP 15.3.10G	Communication with the FSA <u>appropriate regulator</u> in accordance with Principle 11	Apply in so far as responsibility for the matter in question is not reserved by an EU instrument to the firm's Home State regulator
...		

15 Annex 1A R
[FCA]

1. *SUP 15 does not apply to an incoming EEA firm which has permission for cross border services only and which does not carry on regulated activities in the United Kingdom.*
2. *SUP 15 does not apply to an EEA pure reinsurer which does not have a top-up permission.*

15 Annex 2R
[FCA/PRA]

Form F: Changes in notified persons

R This annex consists only of one or more forms. Forms can be completed online now by visiting: <http://www.fsa.gov.uk/Pages/doing/index.shtml> the appropriate regulator's website.

The forms are also to be found through the following address:

Supervision forms - SUP 15 Annex 2

15 Annex 3
[FCA/PRA]

Standing data form

R This annex consists only of one or more forms. Forms can be completed online now by visiting: <http://www.fsa.gov.uk/Pages/doing/index.shtml> the appropriate regulator's website.

The forms are also to be found through the following address:

Standing Data - SUP 15 Annex 3

...

Annex B

Designations & Regulator making new provision

Handbook Provision	Made, designated or not in force after legal cutover	Relevant regulator
SUP 15.1.1 R	Designated	FCA/PRA
SUP 15.1.2 R	Designated	FCA/PRA
SUP 15.1.3 G	Designated	FCA/PRA
SUP 15.1.4 R	Designated	FCA/PRA
SUP 15.1.5 G	Designated	FCA/PRA
SUP 15.1.6 R	Designated	FCA
SUP 15.2.1 G	Designated	FCA/PRA
SUP 15.2.2 G	Designated	FCA/PRA
SUP 15.2.3 G	Designated	FCA/PRA
SUP 15.2.4 G	Designated	FCA/PRA
SUP 15.2.5 G	Made	PRA
SUP 15.3.1 R	Designated	FCA/PRA
SUP 15.3.2 G	Designated	FCA/PRA
SUP 15.3.3 G	Designated	FCA/PRA
SUP 15.3.4 G	Designated	FCA
SUP 15.3.5 G	Designated	FCA/PRA
SUP 15.3.6 G	Designated	PRA
SUP 15.3.7 G	Designated	FCA/PRA
SUP 15.3.8 G	Designated	FCA/PRA
SUP 15.3.9 G	Designated	FCA/PRA
SUP 15.3.10 G	Designated	FCA/PRA
SUP 15.3.11 R	Designated	FCA/PRA
SUP 15.3.11A G	Designated	FCA/PRA
SUP 15.3.12 G	Designated	FCA/PRA
SUP 15.3.13 G	Designated	FCA/PRA

SUP 15.3.14 G	Designated	FCA/PRA
SUP 15.3.15 R	Designated	FCA/PRA
SUP 15.3.16 G	Designated	FCA/PRA
SUP 15.3.17 R	Designated	FCA/PRA
SUP 15.3.18 G	Designated	FCA/PRA
SUP 15.3.19 G	Designated	FCA/PRA
SUP 15.3.20 G	Designated	FCA/PRA
SUP 15.3.21 R	Designated	FCA/PRA
SUP 15.3.22 D	Designated	FCA/PRA
SUP 15.3.23 D	Designated	FCA/PRA
SUP 15.3.24 D	Designated	FCA/PRA
SUP 15.3.25 D	Designated	FCA/PRA
SUP 15.4.1 R	Designated	FCA/PRA
SUP 15.4.2 G	Designated	FCA/PRA
SUP 15.4.3 R	Designated	FCA/PRA
SUP 15.4.3A G	Designated	FCA/PRA
SUP 15.4.4 G	Designated	FCA/PRA
SUP 15.5.1 R	Designated	FCA/PRA
SUP 15.5.2 G	Designated	FCA/PRA
SUP 15.5.3 G	Designated	FCA/PRA
SUP 15.5.4 R	Designated	FCA/PRA
SUP 15.5.5 R	Designated	FCA/PRA
SUP 15.5.6 G	Designated	FCA/PRA
SUP 15.5.7 R	Designated	FCA/PRA
SUP 15.5.8 G	Designated	FCA/PRA
SUP 15.5.9 R	Designated	FCA/PRA
SUP 15.5.10 G	Designated	FCA/PRA
SUP 15.6.1 R	Designated	FCA/PRA
SUP 15.6.2 G	Designated	FCA/PRA

SUP 15.6.3 G	Designated	FCA/PRA
SUP 15.6.4 R	Designated	FCA/PRA
SUP 15.6.5 R	Designated	FCA/PRA
SUP 15.6.6 G	Designated	FCA/PRA
SUP 15.6.7 G	Designated	FCA/PRA
SUP 15.7.1 R	Designated	FCA/PRA
SUP 15.7.2 G	Designated	FCA/PRA
SUP 15.7.3 G	Designated	FCA/PRA
SUP 15.7.4 R	Designated	FCA/PRA
SUP 15.7.5 R	Not in force after legal cutover	
SUP 15.7.5A R	Made	FCA
SUP 15.7.5B R	Made	PRA
SUP 15.7.6 G	Not in force after legal cutover	
SUP 15.7.6A G	Made	FCA
SUP 15.7.6B G	Made	PRA
SUP 15.7.7 G	Designated	FCA/PRA
SUP 15.7.8 G	Designated	FCA/PRA
SUP 15.7.9 G	Designated	FCA/PRA
SUP 15.7.10 R	Designated	FCA/PRA
SUP 15.7.11 G	Designated	FCA/PRA
SUP 15.7.12 R	Not in force after legal cutover	
SUP 15.7.13 G	Not in force after legal cutover	
SUP 15.7.14 G	Designated	FCA/PRA
SUP 15.7.15 G	Designated	FCA/PRA
SUP 15.7.16 G	Designated	FCA/PRA
SUP 15.8.1 R	Designated	FCA
SUP 15.8.2 R	Designated	FCA

SUP 15.8.3 R	Designated	FCA
SUP 15.8.4 G	Designated	FCA
SUP 15.8.5 G	Designated	FCA
SUP 15.8.6 R	Designated	FCA
SUP 15.8.7 G	Designated	FCA
SUP 15.8.8 R	Designated	FCA
SUP 15.8.9 R	Designated	FCA/PRA
SUP 15.9.1 R	Designated	FCA/PRA
SUP 15.9.2 R	Designated	FCA/PRA
SUP 15.9.3 G	Designated	FCA/PRA
SUP 15.9.4 R	Designated	FCA/PRA
SUP 15.10.1 R	Designated	FCA
SUP 15.10.2 R	Designated	FCA
SUP 15.10.3 R	Designated	FCA
SUP 15.10.4 G	Designated	FCA
SUP 15.10.5 R	Designated	FCA
SUP 15.10.6 R	Designated	FCA
SUP 15.10.7 R	Designated	FCA
SUP 15.10.8 G	Designated	FCA
SUP 15.10.9 R	Designated	FCA
SUP 15 Annex 1 R	Designated	FCA/PRA
SUP 15 Annex 1A R	Made	FCA
SUP 15 Annex 2 R	Designated	FCA/PRA
SUP 15 Annex 3 R	Designated	FCA/PRA
SUP 15 Annex 4 R	Designated	FCA/PRA
SUP 15 Annex 5 G	Designated	FCA

SCHEDULE A

Part 1

Column 1	Column 2	Column 3
Provisions of the 2000 Act under which the Authority made rules	Corresponding provisions: Financial Conduct Authority	Corresponding provisions: Prudential Regulation Authority
Section 59 (Approval for particular arrangements)	Section 59	Section 59
Section 72 (The competent authority)	Part VI	None
Section 73A (Part 6 Rules)	Section 73A	None
Section 74 (The official list)	Section 74	None
Section 75 (Applications for listing)	Section 75	None
Section 77 (Discontinuance and suspension of listing)	Section 77	None
Section 79 (Listing particulars and other documents)	Section 79	None
Section 80 (General duty of disclosure in listing particulars)	Section 80	None
Section 81 (Supplementary listing particulars)	Section 81	None
Section 84 (Matters which may be dealt with by prospectus rules)	Section 84	None
Section 85 (Prohibition of dealing etc in transferable securities without approved prospectus)	Section 85	None
Section 87 (Election to have prospectus)	Section 87	None
Section 87A (Criteria for approval of prospectus by competent authority)	Section 87A	None
Section 87G (Supplementary prospectus)	Section 87G	None
Section 88 (Sponsors)	Section 88	None
Section 89 (Public censure of sponsor)	Sections 88A-88F	None

Column 1	Column 2	Column 3
Provisions of the 2000 Act under which the Authority made rules	Corresponding provisions: Financial Conduct Authority	Corresponding provisions: Prudential Regulation Authority
Section 89A (Transparency rules)	Section 89A	None
Section 89B (Provision of voteholder information)	Section 89B	None
Section 89C (Provision of information by issuers of transferable securities)	Section 89C	None
Section 89D (Notification of voting rights held by issuer)	Section 89D	None
Section 89E (Notification of proposed amendment of issuer's constitution)	Section 89E	None
Section 89F (Transparency rules: interpretation etc)	Section 89F	None
Section 89G (Transparency rules: other supplementary provisions)	Section 89G	None
Section 89O (Corporate governance rules)	Section 89O	None
Section 96 (Obligations of issuers of listed securities)	Section 96	None
Section 96A (Disclosure of information requirements)	Section 96A	None
Section 96C (Suspension of trading)	Section 96C	None
Section 99 (Fees)	Schedule 1ZA, Paragraph 23.	Schedule 1ZB, Paragraph 31.
Section 100 (Penalties)	Sections 312J and 312K, and schedule 1ZA, Part 2.	None
Section 101 (Part 6 rules: general provisions)	Sections 101 and 137T.	None.
Section 118(8) (Market abuse)	Section 118(8)	None
Section 136(2) (Funding of the legal assistance scheme)	Section 136(2)	None
Section 138 (General rule-making power)	Section 137A	Section 137G

Column 1	Column 2	Column 3
Provisions of the 2000 Act under which the Authority made rules	Corresponding provisions: Financial Conduct Authority	Corresponding provisions: Prudential Regulation Authority
Section 139 (Miscellaneous ancillary matters)	Section 137B	None
Section 140 (Restrictions on managers of certain collective investment schemes)	Section 137A(1)	Section 137G(1)
Section 141 (Insurance business rules)	Section 137A(1)	Section 137G(1)
Section 142(2) (Insurance business: regulations supplementing Authority's rules)	Section 137A(1)	Section 137G(1)
Section 144 (Price stabilising rules)	Section 137Q	None
Section 145 (Financial promotion rules)	Section 137R	None
Section 146 (Money laundering rules)	Section 137A(1)	None
Section 147 (Control of information rules)	Section 137P	Section 137P
Section 148(3) (Modification or waiver of rules)	Section 138A(3)	Section 138A(3)
Section 149 (Evidential provisions)	Section 138C	Section 138C
Section 150(2) (Actions for damages)	Section 138D(3)	Section 138D(1)
Section 156 (General supplementary powers)	Section 137T	Section 137T
Section 213 (The compensation scheme) (including as referred to in section 216(5) (Continuity of long-term insurance policies) and section 217(7) (Insurers in financial difficulties)	Section 213	Section 213
Section 214 (General)	Section 214	Section 214
Section 215 (Rights of the scheme in relevant person's insolvency)	Section 215	Section 215
Section 216 (Continuity of long-	Section 216	Section 216

Column 1	Column 2	Column 3
Provisions of the 2000 Act under which the Authority made rules	Corresponding provisions: Financial Conduct Authority	Corresponding provisions: Prudential Regulation Authority
term insurance policies)		
Section 217 (Insurers in financial difficulties)	Section 217	Section 217
Section 218(2)(b) (Annual report)	Section 218(2)(b)	Section 218(2)(b)
Section 223 (Management expenses)	Section 223	Section 223
Section 223C (Payments in error)	Section 223C	Section 223C
Section 224F (Rules about relevant schemes)	Section 224F	Section 224F
Section 226 (Compulsory jurisdiction) (including as applied by regulation 125 of the Payment Services Regulations 2009 (SI 2009/209))	Section 226	None
Section 226A(7) (Consumer credit jurisdiction)	Section 226A(7)	None
Section 229 (Awards)	Section 229	None
Section 234 (Industry funding)	Section 234	None
Section 238(5) (Restrictions on promotion)	Section 238(5)	None
Section 239 (Single property schemes)	Section 239	None
Section 242 (Applications for authorisation of unit trust schemes)	Section 242	None
Section 247 (Trust scheme rules)	Section 247	None
Section 248 (Scheme particulars rules)	Section 248	None
Section 278 (Rules as to scheme particulars)	Section 278	None
Section 283(1) (Facilities and information in UK)	Section 283(1)	None

Column 1	Column 2	Column 3
Provisions of the 2000 Act under which the Authority made rules	Corresponding provisions: Financial Conduct Authority	Corresponding provisions: Prudential Regulation Authority
Section 293 (Notification requirements)	Section 293	Section 293
Section 295 (Notification: overseas investment exchanges and overseas clearing houses)	Section 295	Section 295
Section 300B (Duty to notify proposal to make regulatory provision)	Section 300B	Section 300B
Section 322 (Rules applicable to former underwriting members)	None	Section 322
Section 332(1) (Rules in relation to persons to whom the general prohibition does not apply)	Section 332(1)	None
Section 340 (Appointment)	Section 340	Section 340
Paragraph 17 (Fees) of Schedule 1 (The Financial Services Authority)	Schedule 1ZA, Paragraph 23.	Schedule 1ZB, Paragraph 31.
Paragraphs 19 (Establishment) and 20 (Services) of Schedule 3 (EEA Passport Rights)	Paragraphs 19 (Establishment) and 20 (Services) of Schedule 3 (EEA Passport Rights)	Paragraphs 19 (Establishment) and 20 (Services) of Schedule 3 (EEA Passport Rights)
Schedule 7 (The Authority as Competent Authority for Part VI)	Part VI	None
Paragraphs 7(3) (Annual reports), 13 (Authority's procedural rules), 16B (Procedure for complaints etc) and 16D (Enforcement of money awards) of Schedule 17 (The Ombudsman Scheme)	Paragraphs 7(3) (Annual reports), 13 (Authority's procedural rules), 16B (Procedure for complaints etc) and 16D (Enforcement of money awards) of Schedule 17 (The Ombudsman Scheme)	None

SCHEDULE A

Part 2

Column 1	Column 2	Column 3
Provisions of other enactments under which the Authority made rules	Corresponding provisions: Financial Conduct Authority	Corresponding provisions: Prudential Regulation Authority
Regulation 6(1) (FSA rules) of the Open-Ended Investment Companies Regulations 2001 (SI 2001/1228)	Regulation 6(1) (FCA rules) of the Open-Ended Investment Companies Regulations 2001 (SI 2001/1228).	None
Article 4(1) (Designation of pre-commencement provisions) of the Financial Services and Markets Act 2000 (Transitional Provisions and Savings) (Rules) Order 2001 (SI 2001/1534)	Section 137A(1)	Section 137G(1)
Article 15 (Record-keeping and reporting requirements relating to relevant complaints) of the Financial Services and Markets Act 2000 (Transitional Provisions) (Ombudsman and Complaints Scheme) Order 2001 (SI 2001/2326)	Article 15 (Record-keeping and reporting requirements relating to relevant complaints) of the Financial Services and Markets Act 2000 (Transitional Provisions) (Ombudsman and Complaints Scheme) Order 2001 (SI 2001/2326)	None
The Financial Services and Markets Act 2000 (Variation of Threshold Conditions) Order 2001 (SI 2001/2507)	None	The Financial Services and Markets Act 2000 (Variation of Threshold Conditions) Order 2001 (SI 2001/2507)
Articles 4 (Pending applications), 6 (Post-commencement applications), 9 (Article 9 defaults occurring before commencement), 9A (Contributions in relation to mesothelioma claims), 10 (Applications in respect of compulsory liability insurance), 12 (Applications under the new scheme) and 23 (Record-keeping and reporting requirements relating to pre-	Articles 4 (Pending applications), 6 (Post-commencement applications), 9 (Article 9 defaults occurring before commencement), 9A (Contributions in relation to mesothelioma claims), 10 (Applications in respect of compulsory liability insurance), 12 (Applications under the new scheme) and 23 (Record-keeping and reporting requirements relating to pre-	Articles 4 (Pending applications), 6 (Post-commencement applications), 9 (Article 9 defaults occurring before commencement), 9A (Contributions in relation to mesothelioma claims), 10 (Applications in respect of compulsory liability insurance), 12 (Applications under the new scheme) and 23 (Record-keeping and reporting requirements relating to pre-

Column 1	Column 2	Column 3
Provisions of other enactments under which the Authority made rules	Corresponding provisions: Financial Conduct Authority	Corresponding provisions: Prudential Regulation Authority
commencement) of the Financial Services and Markets Act 2000 (Transitional Provisions, Repeals and Savings) (Financial Services Compensation Scheme) Order 2001 (SI 2001/2967).	commencement) of the Financial Services and Markets Act 2000 (Transitional Provisions, Repeals and Savings) (Financial Services Compensation Scheme) Order 2001 (SI 2001/2967).	commencement) of the Financial Services and Markets Act 2000 (Transitional Provisions, Repeals and Savings) (Financial Services Compensation Scheme) Order 2001 (SI 2001/2967).
Articles 9 (Designation of existing provisions to take effect as rules) and 10 (Modifications of existing provisions) of the Financial Services and Markets Act 2000 (Consequential Amendments and Transitional Provisions) (Credit Unions) Order 2002 (SI 2002/1501)	Section 137A(1)	Section 137G(1)
Regulation 3 (Consumer contract requirements: modification of rule-making powers) of the Electronic Commerce Directive (Financial Services and Markets) Regulations 2002 (SI 2002/1775)	Regulation 3 (Consumer contract requirements: modification of rule-making powers) of the Electronic Commerce Directive (Financial Services and Markets) Regulations 2002 (SI 2002/1775)	None
Regulation 2 (Power of the Authority to make rules under section 138 of the Financial Services and Markets Act 2000) of the Financial Services and Markets Act 2000 (Fourth Motor Insurance Directive) Regulations 2002 (SI 2002/2706)	Regulation 2 (Power of the Authority to make rules under section 138 of the Financial Services and Markets Act 2000) of the Financial Services and Markets Act 2000 (Fourth Motor Insurance Directive) Regulations 2002 (SI 2002/2706).	None.
Article 9 (Record-keeping and reporting requirements relating to relevant transitional complaints) of the Financial Services and Markets Act 2000 (Transitional Provisions) (Complaints Relating to General Insurance and Mortgages) Order (SI 2004/454)	Article 9 (Record-keeping and reporting requirements relating to relevant transitional complaints) of the Financial Services and Markets Act 2000 (Transitional Provisions) (Complaints Relating to General Insurance and Mortgages) Order (SI 2004/454).	None

Column 1	Column 2	Column 3
Provisions of other enactments under which the Authority made rules	Corresponding provisions: Financial Conduct Authority	Corresponding provisions: Prudential Regulation Authority
Regulation 2(3) (Application for permission) of the Capital Requirements Regulations 2006 (SI 2006/3221)	Regulation 2(3) (Application for permission) of the Capital Requirements Regulations 2006 (SI 2006/3221)	Regulation 2(3) (Application for permission) of the Capital Requirements Regulations 2006 (SI 2006/3221)
Regulation 82 (Reporting requirements) of the Payment Services Regulations 2009 (SI 2009/209)	Regulation 82 (Reporting requirements) of the Payment Services Regulations 2009 (SI 2009/209).	None
Regulation 92 (Costs of supervision) of the Payment Services Regulations 2009 (SI 2009/209)	Regulation 92 (Costs of supervision) of the Payment Services Regulations 2009 (SI 2009/209).	None
Articles 3 (Further power for Authority to make rules concerning mesothelioma claims) and 4 (Modification of FSMA in relation to FSA rules for mesothelioma claims) of the Compensation Act 2006 (Contribution for Mesothelioma Claims) Regulations 2006 (SI 2006/3259)	None	Article 3 (Further power for PRA to make rules concerning mesothelioma claims) and 4 (Modification of FSMA in relation to FSA rules for mesothelioma claims) of the Compensation Act 2006 (Contribution for Mesothelioma Claims) Regulations 2006 (SI 2006/3259).
Regulations 8 (Applications for registration), 9 (Applications for admission to the register of issuers), 18 (Notification requirements), 20 (Material changes to the regulated covered bond), 24 (Requirements relating to the asset pool), 25 (Change of owner), 36 (financial penalties policy statement), 46 (Modifications of primary and secondary legislation) of, and paragraph 5 (fees) to the Schedule (Modifications to primary and secondary legislation) to, the Regulated Covered Bonds Regulations 2008 (SI 2008/346)	Regulations 8 (Applications for registration), 9 (Applications for admission to the register of issuers), 18 (Notification requirements), 20 (Material changes to the regulated covered bond), 24 (Requirements relating to the asset pool), 25 (Change of owner), 36 (financial penalties policy statement), 46 (Modifications of primary and secondary legislation) of, and paragraph 5 (fees) to the Schedule (Modifications to primary and secondary legislation) to, the Regulated Covered Bonds Regulations 2008 (SI 2008/346).	None

SCHEDULE A

Part 3

Column 1	Column 2	Column 3
Provisions of the 2000 Act under which the Authority issued codes	Corresponding provisions: Financial Conduct Authority	Corresponding provisions: Prudential Regulation Authority
Section 64(2) (Conduct: statements and codes)	Section 64(2)	Section 64(2)
Section 119 (The code)	Section 119	None
Section 120 (Provisions included in the Authority's code by reference to the City Code)	Section 120	None
Section 121 (Codes: procedure)	Section 121	None

SCHEDULE A

Part 4

Column 1	Column 2	Column 3
Provisions of the 2000 Act under which the Authority issued statements	Corresponding provisions: Financial Conduct Authority	Corresponding provisions: Prudential Regulation Authority
Section 64(1) (Conduct: statements and codes)	Section 64(1)	Section 64(1A)
Section 69 (Statement of policy) (including as applied by paragraph 1 of Schedule 5 to the Payment Services Regulations 2009 (SI 2009/209) and paragraph 1 of Schedule 3 to the Electronic Money Regulations 2011 (SI 2011/99).)	Section 69	Section 69
Section 93 (Statement of policy)	Section 93	None
Section 124 (Statement of policy)	Section 124	None
Section 165B(6) (Safeguards etc in relation to exercise of power under section 165A)	None	Section 165B(6)
Section 169(9) (Investigations etc in support of overseas regulator) (including as applied by paragraph 3 of Schedule 5 to the Payment Services Regulations 2009 (SI 2009/209) and paragraph 3 of Schedule 3 to the Electronic Money Regulations 2011 (SI 2011/99).)	Section 169(9)	Section 169(9)
Section 210 (Statements of policy) (including as applied by regulation 86(6) of the Payment Services Regulations 2009 (SI 2009/209) and regulation 53 (6) of the Electronic Money Regulations 2011 (SI 2011/99).)	Section 210	Section 210
Section 395 (The Authority's procedures) (including as applied by paragraph 7 of Schedule 5 to the Payment Services Regulations 2009 (SI 2009/209) and paragraph 8 of Schedule 3 to the Electronic Money Regulations 2011 (SI 2011/99).)	Section 395	Section 395

SCHEDULE A

Part 5

Column 1	Column 2	Column 3
Provisions of other enactments under which the Authority issued statements	Corresponding provisions: Financial Conduct Authority	Corresponding provisions: Prudential Regulation Authority
Regulation 42 (Guidance) of the Regulated Covered Bonds Regulations 2008 (SI 2008/346)	Regulation 42 (Guidance) of the Regulated Covered Bonds Regulations 2008 (SI 2008/346).	None
Regulation 44 (Warning notices and decision notices) of the Regulated Covered Bonds Regulations 2008 (SI 2008/346)	Regulation 44 (Warning notices and decision notices) of the Regulated Covered Bonds Regulations 2008 (SI 2008/346).	None
Regulation 93 (Guidance) of the Payment Services Regulations 2009 (SI 2009/209)	Regulation 93 (Guidance) of the Payment Services Regulations 2009 (SI 2009/209).	None
Regulation 60 (Guidance) of the Electronic Money Regulations 2011 (SI 2011/99).	Regulation 60 (Guidance) of the Electronic Money Regulations 2011 (SI 2011/99).	None

SCHEDULE A

Part 6

Column 1	Column 2	Column 3
Provisions of the 2000 Act under which the Authority directed, required or specified:	Corresponding provisions: Financial Conduct Authority	Corresponding provisions: Prudential Regulation Authority
Section 51 (Applications under this Part)	Section 55U	Section 55U
Section 60 (Applications for approval)	Section 60	Section 60
Section 148(3) (Modification or waiver of rules)	Section 138A(3)	Section 138A(3)
Section 182 (Notification)	Section 179	None
Section 242 (Applications for authorisation of unit trust schemes)	Section 242	None
Sections 250(4) and (5) (Modification or waiver of rules)	Sections 250(4) and (5)	None
Section 270(6)(b) (Schemes authorised in designated countries or territories)	Section 270(6)(b)	None
Section 274 (Applications for recognition of individual schemes)	Section 274	None
Section 287 (Application by an investment exchange)	Section 287	None
Section 294 (Modification or waiver of rules)	Section 294	Section 294
Section 294(2) (Modification or waiver of rules)	Section 294(2)	Section 294(2)
Section 316 (Direction by Authority)	Section 316	Section 316
Section 317 (The core provisions)	Section 317	Section 317
Section 318 (Exercise of powers through Council)	Section 318	Section 318
Paragraph 5(4) (Notice to Authority) of Schedule 4 (Treaty Rights)	Paragraph 5(4) (Notice to UK Regulator) of Schedule 4 (Treaty Rights)	Paragraph 5(4) (Notice to UK Regulator) of Schedule 4 (Treaty Rights)

SCHEDULE A

Part 7

Column 1	Column 2	Column 3
Provisions of other enactments under which the Authority directed, required or specified	Corresponding provisions: Financial Conduct Authority	Corresponding provisions: Prudential Regulation Authority
Regulations 7(3) and (4) (Modification or waiver of FSA rules) and 12 (Application for authorisation) of the Open-Ended Investment Companies Regulations 2001 (SI 2001/1228)	Regulations 7(3) and (4) (Modification or waiver of FSA rules) and 12 (Application for authorisation) of the Open-Ended Investment Companies Regulations 2001 (SI 2001/1228).	None
Regulation 49 (Reporting requirements) of the Electronic Money Regulations 2011 (SI 2011/99).	Regulation 49 (Reporting requirements) of the Electronic Money Regulations 2011 (SI 2011/99).	None

SCHEDULE A

Part 8

Column 1	Column 2	Column 3
Provisions of the 2000 Act under which the Authority made complaints schemes	Corresponding provisions: Financial Conduct Authority	Corresponding provisions: Prudential Regulation Authority
Paragraph 7 (Arrangements for the investigation of complaints) of Schedule 1 (The Financial Services Authority)	Part 6 of the Financial Services Act 2012	Part 6 of the Financial Services Act 2012

SCHEDULE A

Part 9

Column 1	Column 2	Column 3
Provisions of the 2000 Act under which the Authority gave guidance	Corresponding provisions: Financial Conduct Authority	Corresponding provisions: Prudential Regulation Authority
Section 157(1) (Guidance)	Section 139A(1)	None
Section 158A (Guidance on outsourcing by investment firms and credit institutions)	None	None

SCHEDULE A

Part 10

Column 1	Column 2	Column 3
Provisions of other enactments under which the Authority gave guidance	Corresponding provisions: Financial Conduct Authority	Corresponding provisions: Prudential Regulation Authority
Article 11(1) (Guidance) of the Financial Services and Markets Act 2000 (Transitional Provisions and Savings) (Rules) Order 2001 (SI 2001/1534)	Section 139A(1)	None
Article 14 (Guidance on continued provisions) of the Financial Services and Markets Act 2000 (Consequential Amendments and Transitional Provisions) (Credit Unions) Order 2002 (SI 2002/1501)	Article 14 (Guidance on continued provisions) of the Financial Services and Markets Act 2000 (Consequential Amendments and Transitional Provisions) (Credit Unions) Order 2002 (SI 2002/1501)	None
Articles 9D (Applications for certificates) and 9F (Revocation of certificate on request) of the Regulated Activities Order	Articles 9D (Applications for certificates) and 9F (Revocation of certificate on request) of the Regulated Activities Order	None
Articles 9G (Obtaining information from certified persons etc) and 9H (Rules prohibiting the issue of electronic money at a discount) of the Regulated Activities Order	Articles 9G (Obtaining information from certified persons etc) and 9H (Rules prohibiting the issue of electronic money at a discount) of the Regulated Activities Order	None
Regulation 14 (Guidance) of the Cross-Border Payments in Euro Regulations 2010 (SI 2010/89)	Regulation 15 of the Payments in Euro (Credit Transfers and Direct Debits) Regulations 2012 (SI 2012/3122)	None
Regulation 60 (Guidance) of the Electronic Money Regulations 2011 (SI 2011/99).	Regulation 60 (Guidance) of the Electronic Money Regulations 2011 (SI 2011/99).	None

