

## **16 Annex 36BG      Guidance notes for completion of close links annual report in SUP 16 Annex 36AR**

The *close links* provisions contained in Schedule 6 of the *Act* stem from Directive 95/26/EC (Post BCCI Directive). This directive, implemented in July 1996 in the wake of the collapse of the Bank of Credit and Commerce International (BCCI) in 1991, was designed to strengthen competent authorities' powers to properly supervise financial institutions.

The Post BCCI Directive states that the *firm* must provide information on its *close links* on a 'continuous basis' to ensure effective supervision is not disrupted, i.e. the *appropriate regulator* is able to identify potential risks to a *firm* from its *close links*.

This report is referred to in *SUP* 16.5.4R(6) and is used by a *firm* and/or *group* to submit the annual report required by the rule in *SUP* 16.5. The information provided in this report is in accordance with the rules set out in *SUP* 16.5.4R(6).

### **Data elements**

These are referred to by row first, then by column, so data element 2A will be row 2 and column A.

### **Main details**

#### **1A      Does this report cover close links relating to more than one authorised firm?**

This question must be answered by all *firms*.

The *appropriate regulator* allows *firms* to submit a report for more than one *firm* (i.e. a *group* of *firms*); however, the responsibility for the accuracy of the *close links* information provided by the *group* remains with each individual firm listed in Question 2A.

The submitting *firm* can only submit on behalf of *firms*' whose accounting reference date (ARD) matches that of its own, and therefore covering the same reporting period.

Any additional *firms* whose ARD does not match that of the submitting *firm*, must submit their own report for the relevant period.

#### **2A      If Yes, list the firm reference numbers (FRNs) of all additional firms included in the report.**

This question must be answered if the answer to Question 1A is 'Yes'.

Please list the *firm* reference numbers (FRNs) of all the additional *firms* included in the report.

The *firms* listed in this question must have an equivalent accounting reference date (ARD) and therefore the same reporting requirement (i.e. the same start and end of reporting period and copy number must be the same).

**3A Does the firm/group have any close links?**

This question must be answered by all *firms*.

A *firm* must notify the *appropriate regulator* of whether the *firm* is aware that it has any *close links*.

**4A If Yes, have there been any material changes to the close links for the firm/group since the submission of the last report?**

This question must be answered if the answer to Question 3A is ‘Yes’.

The *firm/group* should indicate here whether there have been any changes to the *close links* since the submission of the previous report/notification to the *appropriate regulator*, including any event-driven notifications made.

**5A Are you submitting a group organisation chart?**

This question must be answered if the answer to Question 3A is ‘Yes’.

The organisation chart must be provided in PDF format; however, we do not define the structure of the organisation chart and the *firm* or *group* may use whatever structure it already holds for its own purpose. This chart must however show all the *firm’s* and/or *group’s close links*.

A group organisation chart is required for every annual report submission made so long as the *firm* is aware that it has *close links*.

**Details of close links (body corporates and/or individuals)**

These questions must be answered if the answer to Question 3A is ‘Yes’.

The *firm* and/or *group* making the submission must provide all the information in relation to its close links if any exist.

**6A/7A Name of close link (body corporates and/or individuals)**

Please provide the full name of the body corporate and/or individual (up to a maximum of 100 characters)

**6B/7B Nature of close link (body corporates and/or individuals)**

Please select from one of the following:

- *Parent undertaking* of the *firm*
- *Subsidiary undertaking* of the *firm*
- *Parent undertaking* of a *subsidiary undertaking* of the *firm*
- *Subsidiary undertaking* of a *parent undertaking* of the *firm*
- Close Link (CL) owns or controls 20% or more of the voting rights or capital of the *firm*
- *Firm* owns or controls 20% or more of the voting rights or capital of

Close Link (CL).

**6C Country of incorporation (body corporates only)**

Please provide the country of incorporation using the relevant ISO country code if the *controller* is a body corporate.

A full list of country names and their relevant code elements can be found at: [www.iso.org/iso/country\\_codes/iso\\_3166\\_code\\_lists/country\\_names\\_and\\_code\\_elements.htm](http://www.iso.org/iso/country_codes/iso_3166_code_lists/country_names_and_code_elements.htm)

**6D Address (body corporates only)**

Please provide the full postal address for the body corporate (up to a maximum of 100 characters).

**6E Registered number (body corporates only)**

Please provide the body corporate's registered number (up to a maximum of 20 characters). This is the unique company registration number for body corporates incorporated in the *UK*, or equivalent number for overseas *firms*.

**7C Date of birth (individuals only)**

Please provide the individual's date of birth in dd/mm/yyyy format and age between 18 and 115 years.

**7D Place of birth (individuals only)**

Please provide the individual's place of birth by providing the town and country of birth, for example, 'London, England' (up to a maximum of 100 characters).