Chapter 10

CASS resolution pack

10.2　Core content requirements

10.2.1　　**R**　A *firm* must include within its *CASS resolution pack*:

(1) a master document containing information sufficient to retrieve each document in the *firm's CASS resolution pack*;

(2) a document which identifies the institutions the *firm* has appointed (including through an *appointed representative*, *tied agent*, *field representative* or other agent):

   (a) in the case of *client money*, for the placement of *money* in accordance with ■ CASS 7.13.3 R or to hold *client money* in accordance with ■ CASS 7.14.2 R; and

   (b) in the case of *safe custody assets*, for the deposit of those assets in accordance with ■ CASS 6.3.1 R;

(3) a document which identifies each *appointed representative*, *tied agent*, *field representative* or other agent of the *firm* which receives *client money* or *safe custody assets* in its capacity as the *firm's* agent;

(4) a document which identifies:

   (a) each *senior manager* and *director* and any other individual and the nature of their responsibility within the *firm* who is critical or important to the performance of operational functions related to any of the obligations imposed on the *firm* by ■ CASS 6 or ■ CASS 7; and

   (b) the individual to whom responsibility for *CASS* operational oversight has been allocated under ■ CASS 1A.3.1 R or, as the case may be, to whom the *CASS operational oversight function* has been allocated under ■ CASS 1A.3.1A R;

(5) for each institution identified in ■ CASS 10.2.1R (2), a copy of each executed agreement, including any side letters or other agreements used to clarify or modify the terms of the executed agreement, between that institution and the *firm* that relates to the holding of *client money* or *safe custody assets* including any written notification or *acknowledgement letters* sent or received pursuant to ■ CASS 7.18;

(6) a document which:

   (a) identifies each member of the *firm's group* involved in operational functions related to any obligations imposed on the *firm* under ■ CASS 6 or ■ CASS 7, including in the case of a member that is a *nominee company*, identification as such; and

(b) identifies each third party which the *firm* uses for the performance of operational functions related to any of the obligations imposed on the *firm* by ■ CASS 6 or ■ CASS 7; and

(c) for each *group* member identified in (a), the type of entity (such as branch, subsidiary and or *nominee company*) the *group* member is, its jurisdiction of incorporation if applicable, and a description of its related operational functions;

(7) a copy of each executed agreement, including any side letters or other agreements used to clarify or modify the terms of the executed agreement, between the *firm* and each third party identified in (6)(b);

(8) where the *firm* relies on a third party identified in (6)(b), a document which describes how to:

(a) gain access to relevant information held by that third party; and

(b) effect a transfer of any of the *client money* or *safe custody assets* held by the *firm*, but controlled by that third party; and

(9) a copy of the *firm*'s manual in which are recorded its procedures for the management, recording and transfer of the *client money* and *safe custody assets* that it holds.

10.2.2   G   For the purpose of ■ CASS 10.2.1R (4), examples of individuals within the *firm* who are critical or important to the performance of operational functions include:

(1) those necessary to carry out both internal and external *client money* and *safe custody asset* reconciliations and record checks; and

(2) those in charge of client documentation for business involving *client money* and *safe custody assets*.

10.2.3   R   For the purpose of ■ CASS 10.2.1R (2), a *firm* must ensure that the document records:

(1) the full name of the individual institution in question;

(2) the postal and email address and telephone number of that institution; and

(3) the numbers of all accounts opened by that *firm* with that institution.