

**SUPERVISION MANUAL (AMENDMENT NO 10 AND CONSEQUENTIAL AMENDMENTS TO THE HANDBOOK) INSTRUMENT 2002**

**Powers exercised**

- A. The Financial Services Authority makes this instrument in the exercise of the following powers in the Financial Services and Markets Act 2000 (the “Act”):
- (1) section 59 (Approval for particular arrangements);
  - (2) section 60 (Applications for approval);
  - (3) section 138 (General rule-making power);
  - (4) section 156 (General supplementary powers); and
  - (5) section 157(1) (Guidance).

**Commencement**

- B. This instrument comes into force as follows:
- (1) Annexes C and D come into force on 30 September 2003; and
  - (2) the remainder of this Instrument comes into force on 1 December 2002.

**Amendments to the Supervision manual**

- C. The Supervision manual is amended in accordance with Annex A and Annex C to this instrument.

**Amendments to the Training and Competence Sourcebook**

- D. The Training and Competence Sourcebook is amended in accordance with Annex B to this instrument.

**Amendments to the Authorisation manual**

- E. The Authorisation manual is amended in accordance with Annex D to this instrument.

**Citation**

- F. This instrument may be cited as the Supervision Manual (Amendment No 10 and Consequential Amendments to the Handbook) Instrument 2002.

By order of the Board  
21 November 2002

## Annex A

### Amendments to the Supervision Manual

In this Annex, underlining indicates new text and striking through indicates deleted text. Where an entire new section is inserted, the place that it goes is indicated and the text is not underlined.

After paragraph 15 of the transitional provisions, insert the following new provisions. The column headings are shown for convenience.

(1)	(2)	(3)	(4)	(5)	(6)
	Material to which the transitional provision applies		Transitional provision	Transitional provision: dates in force	Handbook provision: coming into force
15A	<i>Rules in SUP 20</i>	<b>R</b>	<p><b>If, on or before 31 December 2002, a firm submits to the FSA a completed Form C under SUP 10.13.6R (Ceasing to perform a controlled function) in relation to:</b></p> <p><b>(1) the <i>customer trading function</i> relying on SUP 10.10.13R(1)(b) (Corporate finance adviser function); or</b></p> <p><b>(2) the <i>investment adviser function</i> relying on SUP 10.10.20R(1) (Investment management function) (as that rule has effect from 1 December 2002);</b></p> <p><b>SUP 20 (Fees Rules) applies as if the form had been processed on receipt.</b></p>	From 1 December 2002 to 31 December 2003	Various dates
15B	Transitional rule 15A	<b>G</b>	(1) The purpose of the amendment to SUP 10.10.13R(1)(b), which	From 1 December 2002 to 31	1 December 2002

December  
2003

came into force on 1  
December 2002, is to  
avoid the need to be  
approved for both the  
*corporate finance  
advisory function* and  
the *customer trading  
function*.

(2) The purpose of the  
amendment to *SUP*  
10.10.20R(1), which  
came into force on 1  
December 2002, is, in  
part, to avoid the need  
to be approved for both  
the *investment  
management function*  
and the *investment  
adviser function*.

(3) The purpose the  
transitional *rule 15A* is  
to enable a *firm* to take  
advantage of those  
*rules* immediately for  
fees purposes.  
However, the *FSA* does  
not anticipate  
completing processing  
the withdrawals until  
31 March 2003. The  
*FSA Register* will  
reflect the withdrawal  
as at the date of the  
processing.

...

...

10.1.3G

The *rules* in this chapter specify descriptions of functions under section 59 of the *Act* (Approval for particular arrangements). The effect of these *rules*, and the provisions of Part V of the *Act* (Performance of ~~*Regulated Activities*~~-Regulated Activities), is that every *firm*, except an *overseas firm* to which *SUP* 10.1.6R applies, must apply to the *FSA* for

the approval of one or more *persons* to perform a *controlled function* on its behalf.

...

10.3.3G *Arrangement* is defined in section 59(10) of the *Act* as any kind of *arrangement* for the performance of a function which is entered into by a firm or any of its contractors with another person and includes the appointment of a *person* to an office, his becoming a *partner*, or his employment (whether under a contract of service or otherwise). For the provisions in this chapter relating to outsourcing, see *SUP* 10.12.3G and *SUP* 10.12.4G.

...

10.4.1R ~~(1)~~ Each of the functions described in *SUP* 10.4.5R (the *table of controlled functions*) is a *controlled function*.

10.4.2G *SUP* 10.4.1R ~~(1)~~, together with the *table of controlled functions* in *SUP* 10.4.5 R, specifies, in brief terms, the descriptions of the *controlled functions*. *SUP* 10.4.1 R ~~(2)~~ provides that the ~~o~~Other rules in this chapter contain the detail of the description for each function. Further *rules* in this chapter contain provisions which will apply to each description as indicated in those *rules*: see in particular *SUP* 10.1 for the application provisions.

10.4.3G ~~*SUP* 10.4.1 R (3) also addresses the position of an approved person who is carrying on activities which are unrelated to regulated activities or are otherwise outside the description of a controlled function. The fact that the a person may be approved for one purpose does not have the effect of bringing all his activities within the that controlled function.~~

...

10.6.3G The effect of *SUP* 10.6.2 R is that a *person* who is *approved* to perform a *governing function* (other than the *non-executive function*) will not have to be specifically approved to perform any of the *systems and controls functions* or the *significant management functions*. However, a firm may apply for the systems and control functions or significant management functions to be explicitly added for such persons, if it wishes. ~~he~~ A person who is approved to perform a governing function will have to be additionally approved before he can perform any of the *required functions* or *customer functions*.

...

10.6.5G The definition of *director* includes a *person* in accordance with whose directions or instructions the *directors* are accustomed to act. Such a *person* is defined in section 741 of the Companies Act 1985 as a ‘shadow director’. The *directors* of a *holding company* would not, as such, be shadow *directors*. However, where, for example, a member of a *holding company* board frequently gives instructions to *directors* of a *firm*, either on his own or through a committee which takes frequent executive decisions, the *firm* should consider carefully whether he (and other members of the committee) should be approved to perform this function. ~~Neither would a~~ An individual is not be a shadow *director* (or *director*) because his job description included the word “director”. Whether a *person* is a *director* within the definition is a question of fact in each case.

...

10.8.5G This function is often performed by a *senior manager* who is given the title of Head of Risk, or who is a member of a Risk Committee. Other examples of titles are Head of Credit Risk and Head of Market Risk (but the fact that an individual may use one of these titles does not necessarily mean that he is performing a *controlled function*).

...

10.9.13G Where SUP 10.9.1 R and SUP 10.9.12 R apply, the *senior manager* could, for example, be the head of a unit carrying on the activities of: retail banking, personal lending, corporate lending, leasing assets, issuing credit cards, trade finance, loan syndicates or debt, salvage or loan recovery, or proprietary trading; or a member of a committee (that is, a *person* who, together with others, has authority to commit the *firm*) making decisions in these functions. The *senior manager* could also be a proprietary trader whose trading limits are such that he could put, or potentially put, his *firm* at significant risk. This function would not extend to every proprietary trader.

...

10.9.17G Where SUP 10.9.1R and SUP 10.9.16R apply, the individual performing this function would typically be the Chief Treasurer, or a member of a high level committee (that is, a *person* who, together with others, has authority to commit the *firm*) such as an Asset and Liability Committee or an Executive Committee or Credit Committee. In the case of the *Society of Lloyd’s*, it would include being a member of the Market Board (or a successor committee performing the functions of the Market Board).

...

10.10.1R ~~SUP 10.10 (the eCustomer functions) applies only in relation to a regulated activity to which COB applies under COB 1.4 with respect to activities carried on from an establishment maintained by the firm (or by its appointed representative) in the United Kingdom.~~

10.10.2G (1) — Without SUP 10.10.1R the descriptions of the *customer functions* would extend to functions wherever they are performed. The effect of SUP 10.10.1R is that the descriptions are limited, in relation to *regulated activities* with an overseas element, in a manner which is broadly consistent with the scope of COB conduct of business regulation.

(2) ~~COB 1.4 (General application: Where?) specifies the rules which apply to *regulated activities* by reference to the location from which the activity is carried on. For example, where the *regulated activity* is carried on from an establishment maintained by a *firm* (or by its *appointed representative*) in the *United Kingdom*, COB applies in full but special provisions apply in relation to *financial promotion*. See COB 1.4 for further details.~~

...

10.10.7R (3) This function does not extend to an individual who is based overseas and who, in a 12 *month* period, spends no more than 30 *days* in the *United Kingdom* ~~in so far as to the extent that:~~

— (a) ~~his activities relate to designated investment business;~~  
and

— (b) ~~he is appropriately supervised by an *approved person* approved for this function *advising on investments*.~~

...

10.10.10G It is a matter for the *firm* to ~~decide what level of supervision is appropriate for an individual from overseas to whom SUP 10.10.7R(3) applies.~~ However, ~~†~~The FSA would expect an the individual to be accompanied on a visit to a *customer*. TC 2.5.5R(1) provides that the *firm* will have to be satisfied that the individual has at least three years' up-to-date relevant experience obtained outside the *United Kingdom*. However, the remaining provisions of TC 2.5.5R(1) are disapplied in these circumstances (except for an individual who gives advice to *private customers* on

packaged products or is a broker fund adviser). The effect of this is that the individual who may previously have been required to comply fully with the United Kingdom examination requirements, now need not pass the relevant regulatory module of an approved examination (see TC 2.5.5R(3) and (4)).

...

- 10.10.13R
- (1) The *corporate finance adviser function* is the function of:
- (a) giving advice to *clients* ~~only solely~~ in connection with *corporate finance business*; and
  - (b) performing functions within the *customer trading function* in connection with giving that advice.
- (2) This function does not extend to an individual who is based overseas and who, in a 12 month period, spends no more than 30 days in the United Kingdom to the extent that he is appropriately supervised by a person approved for this function.

10.10.13AG

The FSA would expect an individual from overseas to be accompanied on a visit to a customer. TC 2.5.5R(1) provides that the firm will have to be satisfied that the individual has at least three years' up-to-date relevant experience obtained outside the United Kingdom. However, the remaining provisions of TC 2.5.5R(1) are disapplied in these circumstances. The effect of this is that the individual, who may previously have been required to comply fully with the United Kingdom examination requirements, now need not pass the relevant regulatory module of an approved examination (see TC 2.5.5R(3) and (4)).

...

- 10.10.16R
- (1) The *customer trading function* is the function of *dealing*, as principal or as agent, and ~~arranging~~ arranging (bringing about) deals in investments with or for, or in connection with, *private customers* and *intermediate customers* where:
- (a) the *dealing* or *arranging deals* is governed by COB 7 (~~d~~Dealing and managing); and
  - (b) the *person* performing the function is not ~~advising~~ advising on or managing *investments* unless approved to perform the *investment adviser function* or

the *investment management function*.

- (2) This function does not extend to an individual who is based overseas and who, in a 12 month period, spends no more than 30 days in the United Kingdom to the extent that he is appropriately supervised by a person approved for this function.

...

10.10.20R

- (1) The *investment management function* is the function of ~~managing investments and, when ancillary to that function, functions within:~~

~~(1) the *customer trading function*; and~~

~~(2) the *investment adviser function*.~~

(a) acting in the capacity of an *investment manager*; and

(b) performing functions within:

(i) the *investment adviser function*; and

(ii) the *customer trading function*;

in connection with acting as an *investment manager*.

- (2) This function does not extend to an individual who is based overseas and who, in a 12 month period, spends no more than 30 days in the United Kingdom to the extent that he is appropriately supervised by a person approved for this function.

10.10.21G

Note that the definition of *managing investments* provides that the activity consists of ~~managing assets comprising or including certain *specified investments* "in circumstances which involve the exercise of discretion"~~*investment manager* is a person who, in summary, manages *designated investments* on a discretionary or non-discretionary basis under the terms of a discretionary or non-discretionary management agreement. If a person seeks to perform the *controlled function* of *advising on investments* outside of the agreement, he will need to be approved for the *investment adviser function*.



10.10.22G

The FSA would expect an individual from overseas to be accompanied on a visit to a customer. TC 2.5.5R(1) provides that the firm will have to be satisfied that the individual has at least three years' up-to-date relevant experience obtained outside the United Kingdom. However, the remaining provisions of TC 2.5.5R(1) are disapplied in these circumstances. The effect of this is that the individual, who may previously have been required to comply fully with the United Kingdom examination requirements, now need not pass the relevant regulatory module of an approved examination (see TC 2.5.5R(3) and (4)).

...

10.12.4AG

Where the notification of an appointed representative (SUP 12.7.1R) is linked to an application for approval (SUP 10.12 (Applications for approval and withdrawing an application for approval)), any delay in receiving the notification under SUP 12.7.1R may delay the FSA's approval of the individuals employed by that appointed representative who will be performing controlled functions for the firm.

...

10.13.7R(2)

Form C is qualified if the information it contains:

(a) relates to the fact that the firm has dismissed, or suspended, the approved person from its employment; or

...

...

10.13.12R (2)

When giving the information to A under (1), B must have regard to the purpose of the request and in particular to:

...

(b) any relevant outstanding or upheld complaint from an eligible complainant against that person;

...

...

(1) If, in relation to a firm which has completed Form A (SUP 10 Ann 4D), any of the details in section 3.01



...		
29	How and when must the <i>firm</i> report to the <i>FSA</i> potentially adverse information about an <i>approved person's</i> fitness and propriety?	<p>Normally, the <i>firm</i> should report such matters to the <i>FSA</i> on Form D once it is reasonably satisfied as to the information's validity. See <i>SUP</i> 10.13.16R. See also Principles for Businesses 11 (<del>PRIN</del><i>PRIN</i>) and Statements of Principle 4 (<del>APER</del><i>APER</i>).</p> <p>However, if an <i>approved person</i> is dismissed, is suspended, or resigns while under investigation by the <i>firm</i>, the <i>FSA</i> or another regulatory body, <u>or there are any other matters that might affect the individual's fitness and propriety to perform a controlled function</u>, the <i>firm</i> should inform the <i>FSA</i> (<i>SUP</i> 10.13.7R) that it will be submitting a Form C containing adverse information.</p>
...		

After Table 1 in *SUP* 10 Ann 1G, insert the following new table:

How do the customer functions relate to the activities and training and competence requirements?

2 Table

<u>Activity</u>	<u>Paragraph 1 of the table in TC 2.1.4R</u>	<u>Controlled Function</u>	<u>SUP</u>
<u>Advising and dealing</u>	(a) - (c)	<i>investment adviser function</i> (CF21)	<u>10.10.7R</u>
		<i>investment adviser (trainee) function</i> (CF22)	<u>10.10.11R</u>

<u>Managing</u>	<u>(d) and (e)</u>	<u>investment management function (CF27)</u>	<u>10.10.20R</u>
<u>Advising (without dealing)</u>	<u>(f) - (h)</u>	<u>investment adviser function (CF21)</u>	<u>10.10.7R</u>
		<u>investment adviser (trainee) function (CF22)</u>	<u>10.10.11R</u>
	<u>(i)</u>	<u>corporate finance adviser function (CF23)</u>	<u>10.10.13R</u>
	<u>(j) - (m)</u>	<u>investment adviser function (CF21)</u>	<u>10.10.7R</u>
		<u>investment adviser (trainee) function (CF22)</u>	<u>10.10.11R</u>
	<u>(n)</u>	<u>adviser on syndicate participation at Lloyd's function (CF25)</u>	<u>10.10.15R</u>
	<u>(o)</u>	<u>pension transfer specialist function (CF24)</u>	<u>10.10.14R</u>

SUP 10 Ann 4D      Form A      Application to perform controlled functions under the approved persons regime

**Notes for Form A**

**SECTION 3 – ARRANGEMENTS AND CONTROLLED FUNCTIONS**

...

(Page iii)  
section 3.03:

The effective date is the date on which the *firm* wishes the *candidate* to begin performing *controlled functions* (subject to approval). **This should be left blank unless there is a reason for the effective date to be beyond the FSA's published standard response times.** ~~For instance, a *firm* may wish to be sure a *candidate* has been approved before they take up their post~~

...

(Page iv)  
section 4  
(final paragraph)

...  
*Candidates* who are applying for *significant influence functions* (CF1 to 20) are required to submit a copy of their curriculum vitae, in addition to completing section 4 of this Form, unless the application is for a governing function of an appointed representative. It should be attached securely to the Form.

...

**Form A**

3.05 Complete this section only if the application is on behalf of more than one firm. List all firms within the group (including the firm entered in 2.01) for which the candidate requires approval and the requested controlled function for that firm.

...

4.01b  
4.02  
4.03b  
4.04b  
4.05b

In each case, at row c. substitute “not employed” for “unemployed”.

...

section 7

**SECTION 7 NOTES**

(final paragraph)

With reference to the above, ~~the~~ FSA may seek to verify the information given in this Form including answers pertaining to fitness and propriety. I authorise the FSA to make such enquiries and seek such further information as it thinks appropriate in the course of verifying the information given in this Form. I also understand that the results of these checks may be disclosed to ~~my employer~~ the firm submitting this application.

SUP 10 Ann 6R

Form C                      Notice of ceasing to perform controlled functions

**Notes for Form C**

(Page ii)

Form C is qualified if:

The purpose of this Form

...

- 2. a *firm* dismisses, or suspends, an *approved person* from its employment; or

SUP 10 Ann 7R      Form D                      Notification of changes in personal information or application details

Section 4

Declaration and signatures

DECLARATION OF APPROVED PERSON

The *firm* must ask the individual to make the declaration only where the *firm* becomes aware of information that would reasonably be material to the assessment of the *approved person's* continuing fitness and propriety.

Knowingly or recklessly giving the *FSA* information which is false or misleading in a material particular may be a criminal offence (section 398 of the Financial Services and Markets Act 2000).

SUP 10 Ann 8R      Form E                      Internal transfer of an approved person

**Notes for Form E**

...

(Page ii)

The purpose of this Form      Form ~~BC~~ must be used if the individual is ceasing to perform a *controlled function* ~~but~~ and the *firm* is not seeking approval in respect of another *controlled function*.

...

12.5.2G (1)      Regulation 3 of the *Appointed Representative Regulations* makes it a requirement that the contract between the *firm* and the *appointed representative* ... contains a provision enabling the *firm* to:

(a) impose such a ~~requirement~~ prohibition; or

...

...

12.7.3AG                      Where a notification is linked to an application for approval under section 59 of the Act (Approval for particular arrangements), see SUP 10.12.4AG.

...

SUP Appendix 2              Insurers: Scheme of operations

App 2.2.3G                      In accordance with the *Insurance Directives*, an *insurer* whose *margin of solvency* has fallen below its ~~*required minimum margin of solvency*~~, or its *guarantee fund*, is required, by the *rules* set out in this appendix, to submit a *scheme of operations*, together with an explanation of how the *margin of solvency* will be adequately restored, and a *firm in run-off* which has previously submitted a *scheme of operations* is required to submit a plan for restoration.

...

App 2.3.1R                      Unless SUP App 2.3.3R applies, if an *insurer's margin of solvency* falls below its *required margin of solvency*, it must, within 28 days of the firm becoming aware of this event, submit to the *FSA* a plan for the restoration of a sound financial position including:

- (1) a *scheme of operations* (see SUP App 2.9); and
- (2) an explanation of how, if at all, and by when, it expects its *margin of solvency* to be adequately restored to the required *margin of solvency*.

...

App 2.3.3R                      If an *insurer's margin of solvency* falls below its *required margin of solvency* and the *insurer* has previously submitted either a *run-off plan* in accordance with SUP App 2.5.1R, or a *scheme of operations* in accordance with SUP 2.3.1R, the *insurer* must, within 28 days of becoming aware that its *margin of solvency* has fallen below its *required margin of solvency*:

- (1) notify the *FSA*; and
- (2) submit a plan for restoration which explains:
  - (a) why the *insurer's margin of solvency* has fallen below its *required margin of solvency*; and

(b) demonstrates how, if at all, and by when, the *insurer* will adequately restore it.

...

**App 2.8**  
**(title)**

**Submission of a scheme of operations or a plan for restoration**

...

App 2.8.3G

The period to be covered by, and the details to be included in, the plan for restoration required by *SUP* App 2.3.3R will depend on the circumstances of the *insurer*, why its *margin of solvency* has fallen below its *required margin of solvency* and the degree of risk that that fall will be repeated, even if the *insurer* restores its *margin of solvency* in accordance with its plan.



## Annex B

### Amendments to the Training and Competence Sourcebook

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

#### Exemption from the approved examination

2.5.5R (1) Except as described in (2) and (3), if a *firm* is satisfied that an *employee*:

- (a) has at least three years' up-to-date relevant experience in the activity in question obtained while employed outside the *United Kingdom*;
- (b) had not previously been required to comply fully with the relevant examination requirements as stipulated in *TC 2.4.5R (2)*; and
- (c) has passed the relevant regulatory module of an *approved examination*;

then the requirement to have passed each module of the appropriate *approved examination* in *TC 2.4.5R (2)* does not apply for that *employee*.

(2) ~~*TC 2.5.5 R(1)*~~ Paragraph (1) does not apply for an *employee* engaging in the following activities:

- (a) *advising on investments* which are *packaged products*, if that advice is given to *private customers*;
- (b) the activity of a *broker fund adviser*;
- (c) *advising on syndicate participation at Lloyd's*;
- (d) the activity of a *pension transfer specialist*.

(3) Paragraphs (1)(b) and (c) do not apply for an *employee* who would perform:

- (a) the *investment adviser function*; or

(b) the corporate finance adviser function; or

(c) the investment management function;

but for the 30 day rule, unless the individual is advising private customers on packaged products or is a broker fund adviser.

(4) In (3), the '30 day rule' means the provisions of:

(a) SUP 10.10.7R(3); or

(b) SUP 10.10.13R(2); or

(c) SUP 10.10.20R(2);

as appropriate.

## Annex C

### Amendments to the Supervision Manual

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

16.1.2G            The only categories of *firm* to which no section of this chapter applies are:

...

(2) an *incoming EEA firm* or *incoming Treaty firm*, unless it is:

(a) a *firm* of a type listed in SUP 16.1.3R as a type of *firm* to which ~~SUP 16.6~~, ~~SUP 16.7~~ or SUP 16.9 applies; or

...

16.1.3R            Table    Application of different sections of SUP 16

(1) Section(s)	(2) Categories of firm to which section applies	(3) Applicable rules and guidance
...		
<u>SUP 16.8</u>	...	...
<u>SUP 16.9</u>	<u><i>Firm with permission to advise on investments; arrange (bring about) deals in investments; make arrangements with a view to transactions in investments; or arrange safeguarding and administration of assets</i></u>	<u>Entire section</u>

...

16.3.2G            This chapter has been split into ~~five~~ six sections, covering:

(1) annual controllers reports (*SUP 16.4*);

- (2) annual close links reports (*SUP* 16.5);
- (3) compliance reports (*SUP* 16.6);
- (4) financial reports (*SUP* 16.7); ~~and~~
- (5) persistency reports (*SUP* 16.8); and
- (6) annual appointed representatives reports (*SUP* 16.9).

16.3.3G The annual controllers, annual close links, ~~and~~ persistency and annual appointed representatives reports sections are the same for all categories of *firm* to which they apply.

...

After *SUP* 16.8 (Persistency reports from insurers), insert the following new section:

## **16.9 Appointed representatives annual report**

### **Application**

16.9.1G The effect of *SUP* 16.1.1R is that this section applies to every *firm* with a *Part IV* permission to advise on investments, arrange (bring about) deals in investments, make arrangements with a view to transactions in investments, or arrange safeguarding and administration of assets.

### **Purpose**

16.9.2G The purpose of the *rules* and *guidance* in this section is to ensure that, in addition to the notifications made under *SUP* 12.7 (Appointed representatives: notification requirements), the *FSA* receives regular and comprehensive information about the *appointed representatives* engaged by a *firm*, so that the *FSA* is in a better position to pursue the *regulatory objective* of the protection of *consumers*.

### **Report**

- 16.9.3R (1) A *firm* must:
- (a) submit a report to the *FSA* annually, containing the information in (2); and

(b) submit the report in (1) to the *FSA* within four *months* of the *firm's accounting reference date*.

(2) The report in (1) must contain a list of all the current *appointed representatives* of the *firm* as at the *firm's accounting reference date*.

(3) The report in (1) is not required if:

(a) the *firm* has no *appointed representatives* as at the *firm's accounting reference date*; and

(b) this is reflected in the relevant extract from the *FSA Register*.

16.9.4G The *FSA Register* is maintained under section 347 of the *Act* (The record of authorised persons, etc.) and may be viewed at the *FSA's* website at [www.fsa.gov.uk/register/](http://www.fsa.gov.uk/register/).

16.9.5G The information required by *SUP* 16.9.3R or *SUP* 16.9.4R should be provided in the form of an amended copy of the relevant extract from the *FSA Register*.

16.9.6G If a *group* includes more than one *firm*, a single annual *appointed representatives* report may be submitted on behalf of all *firms* in the *group*. Such a report should contain the information required from all the *firms*, meet all relevant due dates, indicate all the *firms* on whose behalf it is submitted and give their *FSA* firm reference numbers. The requirement to provide a report, and the responsibility for the report, remains with each *firm* in the *group*.

...

## Schedule 2 Notification requirements

### 2 Table

Handbook reference	Matter to be notified	Contents of notification	Trigger event	Time allowed
...	...	...	...	...
<i>SUP</i> 16.8	<u>Details of</u>	<u>A list of all the</u>		

<p><u>SUP 16.9.3R</u></p>	<p><u>appointed representatives.</u>  <u>Every firm with a Part IV permission to advise on investments, arrange (bring about) deals in investments, make arrangements with a view to transactions in investments, or arrange safeguarding and administration of assets</u></p>	<p><u>current appointed representatives of the firm as at the firm's accounting reference date.</u>  <u>A report is not required if a firm has no appointed representatives as at the firm's accounting reference date and this is reflected in the relevant extract from the FSA Register.</u></p>	<p><u>Annually</u></p>	<p><u>Four months</u></p>
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## Annex D

### Amendments to the Authorisation Manual

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

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Application of the Handbook to Incoming EEA Firms

2 Table

(1) Module of Handbook	(2) Potential application to an incoming EEA firm with respect to activities carried on from an establishment of the firm (or its appointed representative) in the United Kingdom	(3) Potential application to an incoming EEA firm with respect to activities carried on other than from an establishment of the firm (or its appointed representative) in the United Kingdom
<p>...</p> <p><i>SUP</i></p>	<p>...</p> <p><u><i>SUP 16 (Notifications to the FSAReporting requirements)</i></u></p> <p>Parts of this chapter may apply if the <i>firm</i> has a <i>top-up permission</i> or if the <i>firm</i> is:</p> <p>...</p> <p>(d) a <i>trustee</i> of an <i>AUT</i>; or</p> <p>(e) an <i>insurer</i> with permission to <i>effect</i> or <i>carry out life policies</i>; or</p> <p>(f) a <i>firm</i> with <i>permission</i> to <i>establish, operate or wind up a stakeholder pension scheme</i>; <u>or</u></p> <p><u>(g) a firm with permission to <i>advise on investments, arrange (bring about) deals in investments, make arrangements with a view to transactions in investments, or arrange safeguarding and administration of assets.</i></u></p> <p>(<i>SUP 16.1</i>)</p> <p>...</p>	<p>...</p> <p><u><i>SUP 16 (Notifications to the FSAReporting requirements)</i></u></p> <p>Parts of this chapter may apply if the <i>firm</i> has a <i>top-up permission</i> or if the <i>firm</i> is:</p> <p>...</p> <p>(d) a <i>trustee</i> of an <i>AUT</i>; or</p> <p>(e) an <i>insurer</i> with permission to <i>effect</i> or <i>carry out life policies</i>; or</p> <p>(f) a <i>firm</i> with <i>permission</i> to <i>establish, operate or wind up a stakeholder pension scheme</i>; <u>or</u></p> <p><u>(g) a firm with permission to <i>advise on investments, arrange (bring about) deals in investments, make arrangements with a view to transactions in investments, or arrange safeguarding and administration of assets.</i></u></p> <p>(<i>SUP 16.1</i>)</p>