

FEES (CONSUMER CREDIT INTERIM PERMISSION) INSTRUMENT 2013

Powers exercised by the Financial Conduct Authority

- A. The Financial Conduct Authority makes this instrument in the exercise of:
- (1) the following powers and related provisions in the Financial Services and Markets Act 2000 (“the Act”):
 - (a) section 137T (General supplementary powers); and
 - (b) paragraph 23(1) (Fees) of Schedule 1ZA (The Financial Conduct Authority); and
 - (2) the other powers and related provisions listed in Schedule 4 (Powers exercised) to the General Provisions of the FCA’s Handbook.
- B. The rule-making powers referred to above are specified for the purpose of section 138G(2) (Rule-making instruments) of the Act.

Commencement

- C. This instrument comes into force on 2 September 2013.

Amendments to the Handbook

- D. The Glossary of definitions is amended in accordance with Annex A to this instrument.
- E. The Fees manual (FEES) is amended in accordance with Annex B to this instrument.

Citation

- F. This instrument may be cited as the Fees (Consumer Credit Interim Permission) Instrument 2013.

By order of the Board of the Financial Conduct Authority
1 August 2013

Annex A**Amendments to the Glossary of definitions**

Insert the following new definition in the appropriate alphabetical position. The text is not underlined.

- local authority*
- (a) in England and Wales, a local authority within the meaning of the Local Government Act 1972, the Greater London Authority, the Common Council of the City of London or the Council of the Isles of Scilly;
 - (b) in Scotland, a local authority within the meaning of the Local Government (Scotland) Act 1973;
 - (c) in Northern Ireland, a district council within the meaning of the Local Government Act (Northern Ireland) 1972.

Annex B

Amendments to the Fees manual (FEES)

In this Annex, the text is all new and is not underlined.

After FEES 7 insert the following new chapter.

8 Interim Fees

8.1 Consumer Credit permissions

8.1.1 R (1) A *person* who notifies the *FCA* of a desire to obtain interim permission in accordance with article 56 (Interim permission) of the Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) (No 2) Order 2013 must pay to the *FCA*, in full and without deduction, a fee of :

(a) where the *person* is a sole trader:

(i) if the notification is made on or before 30 November 2013, £105; or

(ii) £150;

(b) in any other case:

(i) if the notification is made on or before 30 November 2013, £245; or

(ii) £350.

(2) Paragraph (1) does not apply if, immediately before 1 April 2014, the *person* held a standard licence under the Consumer Credit Act 1974 which covered only the carrying on of:

(a) non-commercial debt counselling; or

(b) non-commercial debt counselling and non-commercial debt adjusting; or

(c) non-commercial debt counselling and non-commercial credit information services (including non-commercial credit repair); or

(d) non-commercial debt counselling, non-commercial debt adjusting and non-commercial credit information services (including non-commercial credit repair);

and which did not cover any other description or type of business.

- (3) Paragraph (1) does not apply if the *person* is a *credit union*.
- (4) Unless (5) or (6) applies, the fee required by (1) must be paid through the online system used to notify the *FCA* of the *person's* desire to obtain interim permission and must be paid by debit card (Maestro/Visa only) or credit card (Visa/Mastercard only).
- (5) If the *person* is a *local authority*, the fee required by (1) must be paid by debit card (Maestro/Visa only), credit card (Visa/Mastercard only), bankers draft, cheque, or other payable order.
- (6) If it appears to the *FCA* that, in the exceptional circumstances of a particular case, payment via the online system referred to in (3) would be inequitable, the *FCA* may allow payment of the fee required by (1) by bankers draft, cheque or other payable order.
- (7) The fee required by (1) must be paid when the *person* notifies the *FCA* of a desire to obtain interim permission.
- (8) This *rule* applies from 2 September 2013 until (and including) 14 April 2014.

8.1.2 R The Fees manual does not apply in respect of the fee provided for in *FEES* 8.1.1R(1), except for the rules and guidance in *FEES* 2.3 and *FEES* 8.1.