

HANDBOOK ADMINISTRATION (No 49) INSTRUMENT 2018**Powers exercised**

A. The Financial Conduct Authority makes this instrument in the exercise of the powers and related provisions in the Financial Services and Markets Act 2000 (“the Act”):

(1) the following sections of the Act:

- (a) section 137A (The FCA's general rules);
- (b) section 137B (FCA general rules: clients' money, right to rescind etc);
- (c) section 137C (FCA general rules: cost of credit and duration of credit agreements);
- (d) section 137H (General rules about remuneration);
- (e) section 137R (Financial promotion rules);
- (f) section 137T (General supplementary powers);
- (g) section 138D (Actions for damages);
- (h) section 139A (Power of the FCA to give guidance);
- (i) section 213 (The compensation scheme);
- (j) section 214 (General);
- (k) section 223 (Management expenses);
- (l) section 226 (Compulsory jurisdiction);
- (m) section 234 (Industry funding);
- (n) section 238 (Restrictions on promotion);
- (o) section 247 (Trust scheme rules);
- (p) section 248 (Scheme particulars rules);
- (q) section 261I (Contractual scheme rules);
- (r) section 261J (Contractual scheme particulars rules);
- (s) paragraph 23 (Fees) of Part 3 (Penalties and Fees) of Schedule 1ZA (The Financial Conduct Authority);
- (t) paragraphs 19 (Establishment), 20 (Services) and 20C (Notice of intention to market an AIF) of Schedule 3 (EEA Passport Rights);
- (u) paragraph 13(4) (FCA's procedural rules) of Schedule 17 (The Ombudsman Scheme);

(2) the other rule and guidance making powers listed in Schedule 4 (Powers exercised) to the General Provisions module of the FCA's Handbook; and

(3) regulation 6(1) of the Open-Ended Investment Companies Regulations 2001 (SI 2001/1228).

B. The rule-making provisions listed above are specified for the purposes of section 138G(2) (Rule-making instruments) of the Act.

Commencement

C. This instrument comes into force on 29 June 2018 except for:

- (1) Part 2 of Annex P, which comes into force on 1 July 2018 immediately after the changes made by the Financial Conduct Authority (Change of Address) Instrument 2018 (FCA 2018/21) come into force; and
- (2) Annex D (Amendments to the Fees manual (FEES)) which comes into force on 1 April 2019.

Amendments to the Handbook

- D. The modules of the Handbook of rules and guidance listed in column (1) below are amended in accordance with the Annexes to this instrument listed in column (2).

(1)	(2)
Glossary of definitions	Annex A
Senior Management Arrangements, Systems and Controls sourcebook (SYSC)	Annex B
General Provisions (GEN)	Annex C
Fees manual (FEES)	Annex D
Prudential sourcebook for Banks, Building Societies and Investment Firms (BIPRU)	Annex E
Prudential sourcebook for Insurers (INSPRU)	Annex F
Interim Prudential sourcebook for Friendly Societies (IPRU-FSOC)	Annex G
Interim Prudential sourcebook for Insurers (IPRU-INS)	Annex H
Conduct of Business sourcebook (COBS)	Annex I
Mortgages and Home Finance: Conduct of Business sourcebook (MCOB)	Annex J
Market Conduct sourcebook (MAR)	Annex K
Supervision manual (SUP)	Annex L

Amendments to material outside the Handbook

- E. The material outside the Handbook listed in column (1) below is amended in accordance with the Annexes to this instrument listed in column (2).

Energy Market Participants guide (EMPS)	Annex M
Oil Market Participants guide (OMPS)	Annex N
Service companies guide (SERV)	Annex O
Perimeter Guidance manual (PERG)	Annex P

Citation

- F. This instrument may be cited as the Handbook Administration (No 49) Instrument 2018.

By order of the Board
28 June 2018

Annex A

Amendments to the Glossary of definitions

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

group of connected clients has the meaning given to it in article 4.1(39) of the *EU CRR*.

Amend the following definitions as shown. Underlining indicates new text and striking through indicates deleted text.

advising on conversion or transfer of pension benefits the regulated activity specified in article 53E of the Regulated Activities Order, which is described in *PERG 2.7.16FG* 2.7.16GG.

advising on pension transfers and pension opt-outs (for the purposes of the permission regime) any of the following *regulated activities*:

(a) *advising on investments (except P2P agreements)* in respect of *pension transfers* and *pension opt-outs* (article 53(1) to (1D));

(b) *advising on conversion or transfer of pension benefits* (article 53E).

community benefit society a ~~society registered (or deemed to be registered)~~ registered society under the ~~Industrial and Provident Societies Act 1965~~ Co-operative and Community Benefit Societies Act 2014 which fulfils the condition in section ~~1(2)(b)~~ 2(2)(a)(ii) of that Act or a ~~society registered (or deemed to be registered)~~ registered society under the ~~Industrial and Provident Societies Act~~ Co-operative and Community Benefit Societies Act (Northern Ireland) 1969 which fulfils the condition in section 1(2)(a)(ii) of that Act.

relevant credit exposures (in accordance with article 140(4) of CRD) exposures, other than those referred to in article 112(a) to (f) of the EU CRR (Exposure classes), that are subject to:

(a) the *own funds requirements* for credit risk under Part Three, Title II of the *EU CRR*;

(b) where the *exposure* is held in the *trading book*, *own funds requirements* for specific risk under Part Three, Title IV, Chapter 2 of the EU CRR or incremental default and migration risk under Part Three, Title IV, Chapter 5 of the EU CRR; or

- (c) where the *exposure* is a *securitisation*, the *own funds requirements* under Part Three, Title II, Chapter 5 of the *EU CRR*.

Delete the following definition. The text is not shown struck through.

non-EEA direct insurer an *insurer*, other than a *pure reinsurer*, whose head office is not in an *EEA State*.

Annex B

Amendments to the Senior Management Arrangements, Systems and Controls sourcebook (SYSC)

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

1 Detailed application of SYSC

Annex

1

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Table A: Application of the common platform requirements in SYSC 4 to SYSC 10

Provision SYSC 4	COLUMN A Application to a common platform firm other than to a UCITS investment firm	COLUMN A+ Application to a UCITS management company	COLUMN A++ Application to a full-scope UK AIFM of an authorised AIF	COLUMN B Application to all other firms apart from insurers, UK ISPVs, managing agents the Society, full-scope UK AIFMs of unauthorised AIFs, MiFID optional exemption firms and third country firms
...				
SYSC 4.3A.-1R	Rule (<u>except for an AIFM investment firm that is not a CRR firm</u>)	Rule for a CRR firm that is a UCITS investment firm	Not applicable	Not applicable
SYSC 4.3A.1R	Rule (<u>except for an AIFM investment firm that is not a CRR firm</u>)	Rule for a CRR firm that is a UCITS investment firm	Not applicable	Not applicable

SYSC 4.3A.1AR	Rule (<u>except for an AIFM investment firm that is not a CRR firm</u>)	Rule for a CRR firm that is a UCITS investment firm	Not applicable	Not applicable
SYSC 4.3A.2R	Rule (<u>except for an AIFM investment firm that is not a CRR firm</u>)	Rule for a CRR firm that is a UCITS investment firm	Not applicable	Not applicable
SYSC 4.3A.2AG	Guidance (<u>except for an AIFM investment firm that is not a CRR firm</u>)	Guidance for a CRR firm that is a UCITS investment firm	Not applicable	Not applicable
SYSC 4.3A.3R	Rule (<u>except for an AIFM investment firm that is not a CRR firm</u>)	Rule for a CRR firm that is a UCITS investment firm	Not applicable	Not applicable
SYSC 4.3A.4R	Rule (<u>except for an AIFM investment firm that is not a CRR firm</u>)	Rule for a CRR firm that is a UCITS investment firm	Not applicable	Not applicable
SYSC 4.3A.5R	Rule (<u>except for an AIFM investment firm that is not a CRR firm</u>)	Rule for a CRR firm that is a UCITS investment firm	Not applicable	Not applicable
SYSC 4.3A.6R	Rule (<u>except for an AIFM investment firm that is not a CRR firm</u>)	Rule for a CRR firm that is a UCITS investment firm	Not applicable	Not applicable

SYSC 4.3A.7R	Rule (<u>except for an AIFM investment firm that is not a CRR firm</u>)	Rule for a CRR firm that is a UCITS investment firm	Not applicable	Not applicable
SYSC 4.3A.8R	Rule (<u>except for an AIFM investment firm that is not a CRR firm</u>)	Rule for a CRR firm that is a UCITS investment firm	Not applicable	Not applicable
SYSC 4.3A.9R	Rule (<u>except for an AIFM investment firm that is not a CRR firm</u>)	Rule for a CRR firm that is a UCITS investment firm	Not applicable	Not applicable
SYSC 4.3A.10R	Rule (<u>except for an AIFM investment firm that is not a CRR firm</u>)	Rule for a CRR firm that is a UCITS investment firm	Not applicable	Not applicable
...				

...

20 Reverse stress testing

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20.2 Reverse stress testing requirements

20.2.2 R Where the *firm* is a member of:

...

- (1) ~~an insurance group, in respect of which it is required to maintain group capital; [deleted]~~
- (2) a UK consolidation group; or
- (3) a non-EEA sub-group;

it must conduct the reverse stress test on a solo basis as well as on a consolidated basis in relation to ~~the insurance group~~, the *UK consolidation group* or the *non-EEA sub-group*, as the case may be.

...

Annex C

Amendments to the General Provisions (GEN)

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

TP 3 Transitional Provision in relation to the Alternative Investment Fund Managers Directive Instrument 2013

...

Table 2 Transitional Provision applying across the FCA Handbook and PRA Rulebook [deleted]

(1)	(2) Material to which the transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision: dates in force	(6) Handbook provision: coming into force
1	Every provision in the <i>FCA Handbook</i> , unless the context requires otherwise	R	[expired]		
2	Paragraph 1	G	[expired]		
3	Amendments made to the <i>FCA Handbook</i> by the Alternative Investment Fund Managers Directive Instrument 2013	R	References to the “ <i>EEA</i> ” must be read as references to the “ <i>EU</i> ”.	From 22 July 2013 until such time as <i>AIFMD</i> is annexed to the <i>EEA Agreement</i> in accordance with article 102 of the <i>EEA Agreement</i>	22 July 2013

Annex D

Amendments to the Fees manual (FEES)

This Annex comes into force on 1 April 2019

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

6 Financial Services Compensation Scheme Funding

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6.5A The retail pool

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- 6.5A.3 G ~~In considering which of the options in FEES 6.5A.2R(3) to adopt, the FSCS will generally impose a levy, rather than borrow or utilise funds as described in FEES 6.5A.2R(3)(c), unless the latter options appear to be preferable in the specific circumstances prevailing at the relevant time. [deleted]~~

Annex E

Amendments to the Prudential sourcebook for Banks, Building Societies and Investment Firms (BIPRU)

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

1 Application

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1.3 Applications for advanced approaches and waivers

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Article 129 permissions and waivers – specific conditions

1.3.7 D ~~When an *advanced measurement approach* is intended to be used by an *EEA parent institution* and its *subsidiary undertakings* or the *subsidiary undertakings* of an *EEA parent financial holding company*, the application of a *firm* in accordance with *BIPRU 1.3.14D* must include the elements listed in *BIPRU 6.5.5R* (Minimum standards for the advanced measurement approach).~~

~~[Note: *BCD Article 105(2)*] [deleted]~~

1.3.8 D ~~When an *advanced measurement approach* is intended to be used by an *EEA parent institution* and its *subsidiary undertakings* or the *subsidiary undertakings* of an *EEA parent financial holding company* or an *EEA parent mixed financial holding company*, the application of a *firm* must include a description of the methodology used for allocating *operational risk* capital between the different entities of the group.~~

~~[Note: *BCD Annex X Part 3 point 30*] [deleted]~~

1.3.9 D ~~For the purposes of *BIPRU 1.3.8D*, the application of a *firm* must indicate whether and how diversification effects are intended to be factored in the risk measurement system.~~

~~[Note: *BCD annex X Part 3 point 31*] [deleted]~~

...

1 Annex 1D Application form to apply the advanced measurement approach

~~This annex consists only of one or more forms.~~

~~*Forms* [deleted]~~

...

Annex F

Amendments to the Prudential sourcebook for Insurers (INSPRU)

In this Annex, striking through indicates deleted text.

Sch 1 Record keeping requirements

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1.3

Handbook reference	Subject of Record	Contents of record	When record must be made	Retention period
...				
<i>INSPRU</i> 1.5.56R, <i>INSPRU</i> 1.5.57R {PRA}	<i>Branch</i> accounting records in the <i>United Kingdom</i>	A record of the activities carried on from a <i>non-EEA direct insurer's United Kingdom branch</i> and, if it is an <i>EEA deposit insurer</i> , from its <i>branches in other EEA states</i> including a record of: the income, expenditure and liabilities arising from activities of the <i>branch or branches</i> the assets identified under <i>INSPRU</i> 1.1.20R as available to meet those liabilities	Not specified	Not specified

Annex G

Amendments to the Interim Prudential sourcebook for Friendly Societies (IPRU(FSOC))

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

IPRU(FSOC) 7.1 (Definitions) is deleted in its entirety. The deleted text is not shown but the IPRU(FSOC) table of contents is amended as shown.

...

Chapter 7 **Definitions**

Part I ~~Definitions~~ [deleted]

...

IPRU(FSOC) 7 Part II (General Provisions) is amended as shown.

7 Chapter 7: Definitions

PART II – GENERAL PROVISIONS

7.2 A word or phrase which is printed in italics is used in the defined sense. If a defined term does not appear in ~~the IPRU (FSOC) glossary listed in part 1 of Chapter 7,~~ 7.2A the definition appearing in the main Handbook *Glossary* applies.

[FCA]
[PRA]

7.2A The list of defined terms referred to in 7.2 is set out below:

<i>debt security</i>	<u>includes bonds, notes, debentures and debenture stock.</u>
<i>long term insurance business</i>	<u>means insurance business of any of the classes of long-term insurance specified in Part III of chapter 7.</u>
<i>security</i>	<u>includes shares, debt securities, Treasury Bills, Tax Reserve Certificates and Certificates of Tax Deposit.</u>
<i>share</i>	<u>has the meaning given in section 1161(2) of the Companies Act 2006.</u>
<i>1974 Act</i>	<u>the Friendly Societies Act 1974.</u>
<i>1992 Act</i>	<u>the Friendly Societies Act 1992.</u>

<u><i>annuities on human life</i></u>	<u>does not include superannuation allowances and annuities payable out of any fund applicable solely to the relief and maintenance of persons engaged or who have been engaged in any particular profession, trade or employment, or of the dependants of such persons;</u>
<u><i>ancillary risk</i></u>	<u>in relation to a <i>friendly society</i> with permission under the <i>Act</i> to insure a principal risk belonging to one class of <i>general insurance business</i>, means a risk included in another such class which is – (a) connected with the principal risk; (b) concerned with the object which is covered against the principal risk; and (c) the subject of the same contract insuring the principal risk.</u>
<u><i>class</i></u>	<u>means in relation to <i>insurance business</i>, means a class of <i>long-term insurance business</i> or a class of <i>general insurance business</i> listed in Part III of chapter 7 of <i>IPRU FSOC</i>.</u>
<u><i>committee</i></u>	<u>means the committee of management or other directing body of a <i>friendly society</i> or <i>registered branch</i>.</u>
<u><i>financial year</i></u>	<u>means the period of 12 months ending with 31 December and the initial <i>financial year</i> of a <i>friendly society</i> must be such period as expires at the end of the calendar year in which it is registered under the <i>1974 Act</i> or incorporated under the <i>1992 Act</i> and the final <i>financial year</i> of the <i>friendly society</i> must be such shorter period than 12 months as expires on the date as at which the <i>friendly society</i> makes up its final accounts.</u>
<u><i>linked benefits</i></u>	<u>in relation to a <i>linked long-term contract</i>, means benefits payable to the <i>policyholder</i> which are determined by reference to the value of or the income from property of any description (whether or not specified in the contract) or by reference to fluctuations in, or in an index of, the value of property of any description (whether or not so specified).</u>
<u><i>linked long term contract</i></u>	<u>means a <i>contract of insurance</i>, the effecting of which constitutes the carrying on of <i>long-term insurance business</i>, and under which <i>linked benefits</i> are payable.</u>

<u><i>pension fund management contract</i></u>	<u>means a contract to manage the investments of pension funds (other than funds solely for the benefit of the officers or employees of the person effecting or carrying out the contract and their dependants or, in the case of a company (which includes a body corporate), partly for the benefit of officers or employees and their dependants of its subsidiary or holding company or a subsidiary of its holding company.</u>
<u><i>jointly controlled body</i></u>	<u>is to be construed in accordance with section 13 of the 1992 Act.</u>
<u><i>registered branch</i></u>	<u>means a branch of a registered friendly society which is separately registered within the meaning of the 1974 Act.</u>
<u><i>subsidiary</i></u>	<u>is construed in accordance with section 13 of the 1992 Act.</u>

Annex H

Amendments to the Interim Prudential sourcebook for Insurance Businesses (IPRU(INS))

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

Chapter 3: Long-Term Insurance Business

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3.3 (1) Where -

- (a) there is an ‘established surplus’ in which ~~long-term policy holders~~ policy holders of any category are eligible to participate, where the effecting of those policies by the insurer constituted the carrying on of long-term insurance business; and

...

...

IPRU(INS) 11 (Definitions) is deleted in its entirety. The deleted text is not shown but the IPRU(INS) table of contents is amended as shown.

...

Chapter 11 **Definitions** ~~[deleted]~~

~~Part I~~ ~~Definitions~~

~~Part II~~ ~~General Provisions~~

~~Annex 11.1~~ ~~Classes of long-term insurance business~~

~~Annex 11.2~~ ~~Classes, and groups of classes, of general insurance business~~

~~Annex 11.3~~ ~~Descriptions of PRA general insurance business reporting categories~~

...

Annex I

Amendments to the Conduct of Business sourcebook (COBS)

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

11 Dealing and managing

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11.4 Client limit orders

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How client limit orders may be made public

11.4.3A EU Article 70(1) of the *MiFID Org Regulation* provides when *client limit orders* shall be considered as being available to the public.

70(1) A client limit order in respect of shares admitted to trading on a regulated market or traded on a trading venue which have not been immediately executed under prevailing market condition as referred to in Article 28(2) of Directive 2014/65/EU shall be considered available to the public when the investment firm has ~~been~~ submitted the order for execution to a regulated market or a MTF or the order has been published by a data reporting services provider located in one Member State and can be easily executed as soon as market conditions allow.

...

11 Regulatory Technical Standard 28 (RTS 28)

Annex 1

EU

...

Annex II

Table 1

Class of Instrument	
Notification if <1 average trade per business day in the previous year	Y/N

Top five execution venues ranked in terms of trading volumes (descending order)	Proportion of volume traded as a percentage of total in that class	Proportion of volume traded <u>orders executed</u> as a percentage of total in that class	Percentage of passive orders	Percentage of aggressive orders	Percentage of directed orders
...					

Annex J

**Amendments to the Mortgages and Home Finance: Conduct of Business sourcebook
(MCOB)**

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

4 Advising and selling standards

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4.7A Advised sales

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Record keeping

4.7A.25 R (1) ...

- (2) The records in (1) must be retained for a minimum of three years from the date on which the advice was given or, in the case of (1)~~(d)~~ (c), the making of the choice.

...

TP 1 MCD Transitional Provisions

TP 1.1 Transitional Provisions

(1)	(2) Material to which the transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision: dates in force	(6) Handbook provision: coming into force
...					
20	MCOB TPs 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 53 and 55	G	The purpose of TPs 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 53 and 55 is to allow <i>firms</i> to apply certain sets of provisions that implement <i>MCD</i> requirements early. A <i>firm</i> may adopt any set of provisions, it need not adopt all of the	21 September 2015 to 20 March 2016	21 March 2016

			sets at the same time. [expired]		
21	<i>MCOB</i> TPs 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 53 and 55	R	An election to apply any of TP 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 53 and 55 does not imply an election to apply any other of TP 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 53 and 55. [expired]	21 September 2015 to 20 March 2016	21 March 2016
22	<i>MCOB</i> 2A.1	R	A <i>firm</i> to which <i>MCOB</i> 2A.1 will apply from 21 March 2016 may elect to comply with <i>MCOB</i> 2A.1 from 21 September 2015. If the <i>firm</i> elects to comply <i>MCOB</i> 2A.1, it must comply with <i>MCOB</i> 2A.1 and any related provisions in full. [expired]	21 September 2015 to 20 March 2016	21 March 2016
23	<i>MCOB</i> TP 22	G	TP 22 allows a <i>firm</i> to apply the <i>MCD</i> requirements relating to remuneration early. [expired]		
24	<i>MCOB</i> 2A.3, <i>MCOB</i> 7A.4 <i>MCOB</i> 5A, <i>MCOB</i> 6A, <i>MCOB</i> 7B and <i>MCOB</i> 10A	R	A <i>firm</i> to which these provisions will apply from 21 March 2016 may elect to comply with them all, in full, and any related provisions, from 21 September 2015. As such, the <i>rules</i> and other provisions in	21 September 2015 to 20 March 2016	21 March 2016

			MCOB 5, MCOB 6, MCOB 7.67R to MCOB 7.6.17R and MCOB 10, as in force prior to 21 March 2016, will cease to apply from the date of the election. [expired]		
25	MCOB TP 24	G	TP 24 allows a firm to apply the MCD requirements relating foreign currency early. [expired]		
26	MCOB 3A and MCOB 10A		A firm to which these provisions will apply from 21 March 2016 may elect to comply with them all, in full, and any related provisions, from 21 September 2015. As such, the rules and other provisions in MCOB 3 and MCOB 10, as in force prior to 21 March 2016, will cease to apply from the date of the election. [expired]	21 September 2015 to 20 March 2016	21 March 2016
27	MCOB TP 26	G	TP 26 allows a firm to apply the MCD requirements relating to advertising early. [expired]		
28	MCOB 3B	R	A firm to which MCOB 3B will apply from 21 March 2016 may elect to comply with MCOB 3B	21 September 2015 to 20 March 2016	21 March 2016

			from 21 September 2015. If the <i>firm</i> elects to comply with MCOB 3B , it must comply with MCOB 3B and any related provisions in full. [expired]		
29	<i>MCOB</i> TP 28	G	MCOB TP 28 allows a <i>firm</i> to apply the <i>MCD</i> requirements relating to general information early. [expired]		
30	<i>MCOB</i> 4.4A.4R(1)(a) and (3), <i>MCOB</i> 4.4A.8R(1)(c) and (d), <i>MCOB</i> 4.4A.8R(2)(e) and <i>MCOB</i> 4A.1	R	A <i>firm</i> to which these provisions will apply from 21 March 2016 may elect to comply with them all, in full, and any related provisions, from 21 September 2015. As such, the <i>rules</i> and other provisions in MCOB 4.4A.8R , MCOB 4.4A.9R , MCOB 4.4A.12R , MCOB 4.4A.18R and MCOB 4.4A.21R , as in force prior to 21 March 2016, will cease to apply from the date of the election. [expired]	21 September 2015 to 20 March 2016	21 March 2016
31	<i>MCOB</i> TP 30	G	MCOB TP 30 allows a <i>firm</i> to apply the <i>MCD</i> requirements relating to intermediary disclosure early. [expired]		

32	MCOB 4.7A.15R, MCOB 4.7A.21G, MCOB 4.8A.7R and MCOB 11A	R	A <i>firm</i> to which these provisions will apply from 21 March 2016 may elect to comply with them all, in full, and any related provisions, from 21 September 2015. As such, the <i>rules</i> and other provisions in MCOB 4.7A.21G, and MCOB 4.8A.7R, as in force prior to 21 March 2016, will cease to apply from the date of the election. [expired]	21 September 2015 to 20 March 2016	21 March 2016
33	MCOB TP 32	G	MCOB TP 32 allows a <i>firm</i> to apply the <i>MCD</i> requirements relating to creditworthiness early. [expired]		
34	MCOB 4A.2	R	A <i>firm</i> to which MCOB 4A.2 will apply from 21 March 2016 may elect to comply with MCOB 4A.2 from 21 September 2015. If the <i>firm</i> elects to comply with MCOB 4A.2 early, it must comply with MCOB 4A.2 and any related provisions in full from the date of election. [expired]	21 September 2015 to 20 March 2016	21 March 2016
35	MCOB TP 34	G	MCOB TP 34 allows a <i>firm</i> to apply the <i>MCD</i>		

			requirements relating to adequate explanations early. <u>[expired]</u>		
36	<i>MCOB</i> 4.4A.4R(3) and <i>MCOB</i> 4A.2	R	A firm to which these provisions will apply from 21 March 2016 may elect to comply with them all, in full, and any related provisions, from 21 September 2015. As such, the rules and other provisions in <i>MCOB</i> 4.4A.4R(3), as in force prior to 21 March 2016, will cease to apply from the date of the election. <u>[expired]</u>	21 September 2015 to 20 March 2016	21 March 2016
37	<i>MCOB</i> TP 36	G	<i>MCOB</i> TP 36 allows a firm to apply the <i>MCD</i> requirements relating to advice early. <u>[expired]</u>		
38	<i>MCOB</i> 5A, <i>MCOB</i> 6A and <i>MCOB</i> 10A	R	A firm to which these provisions will apply from 21 March 2016 may elect to comply with them all, in full, and any related provisions, from 21 September 2015. As such, the rules and other provisions in <i>MCOB</i> 5, <i>MCOB</i> 6 and <i>MCOB</i> 10, as in force prior to 21 March 2016, will cease to apply from the date of the election. <u>[expired]</u>	21 September 2015 to 20 March 2016	21 March 2016

39	<i>MCOB</i> TP 39 <u>38</u>	G	<i>MCOB</i> TP 38 allows a <i>firm</i> to apply the <i>MCD</i> requirements relating to pre-contractual information early . [expired]		
40	<i>MCOB</i> 5A, <i>MCOB</i> 6A, <i>MCOB</i> 7B, <i>MCOB</i> 7.6.18R to <i>MCOB</i> 7.6.26G, <i>MCOB</i> 7.6.31R to <i>MCOB</i> 7.6.36G and <i>MCOB</i> 10A	R	<p>(1) A <i>firm</i> to which these new or amended provisions will apply from 21 March 2016 may elect to comply with them all, in full, and any related provisions, from 21 September 2015. As such, the <i>rules</i> and other provisions listed in paragraph (2) below, as in force prior to 21 March 2016, will cease to apply from the date of the election. However <i>MCOB</i> 7.6.7R to <i>MCOB</i> 7.6.17R will continue to apply, after such an election, to <i>regulated mortgage contracts</i> other than <i>MCD regulated mortgage contracts</i>.</p> <p>(2) The rules and provisions referred to in paragraph (1) above are those in <i>MCOB</i> 5, <i>MCOB</i> 6, <i>MCOB</i> 7.6.7R to <i>MCOB</i> 7.6.17R (in relation to <i>MCD regulated mortgage</i></p>	21 September 2015 to 20 March 2016	21 September 2015 to 20 March 2016

			contracts), MCOB 7.6.18R to MCOB 7.6.26G, MCOB 7.6.31R to MCOB 7.6.36G and MCOB 10. [expired]		
41	MCOB TP 40	G	MCOB TP 40 allows a <i>firm</i> to apply the new and amended requirements relating to further advances, rate switches and the addition and removal of parties early. [expired]		
42	MCOB (all)	R	Where article 31(2) of the Mortgage Credit Directive Order 2015 applies, a relevant firm: (1) must comply with all the provisions of <i>MCOB</i> that will apply to that <i>firm</i> in respect of the agreement from 21 March 2016; (2) except as provided in (3), need not comply with the provisions of <i>CONC</i> or <i>MCOB</i> that would otherwise apply in respect of the agreement. (3) must, if the <i>firm</i> has <i>interim permission</i>, continue to comply with the other provisions of the <i>FCA Handbook</i> as	21 September 2015 to 20 March 2016	21 September 2015 to 20 March 2016

			<p>modified by <i>CONC 12</i>.</p> <p>In this <i>rule</i>, a “relevant firm” means a <i>second charge lender</i> and a <i>firm</i> carrying on a <i>regulated activity</i> of a kind specified in article 36A(1)(a) to (c) of the <i>Regulated Activities Order</i> (disregarding the effect of paragraph (2) of that article). [expired]</p>		
43	<i>MCOB TP 42</i>	G	<p>The restrictions on <i>firms</i> with <i>interim permission</i> in <i>article 59</i> of <i>SI 2013/1881</i> continue to apply to a <i>firm</i> using <i>MCOB TP 42</i>. [expired]</p>		
44	<i>MCOB TP 42</i>	G	<p><i>Article 31</i> of the <i>Mortgage Credit Directive Order 2015</i> applies to agreements which, if entered into before 21 March 2016, would be a <i>regulated credit agreement</i> but which, if entered after 20 March 2016, would be a <i>regulated mortgage contract</i>, where neither the <i>lender</i> nor any <i>credit broker</i> has complied with <i>CCA</i> requirements in respect of</p>		

			<p>the agreement and both the <i>lender</i> and any <i>credit broker</i> comply with <i>MCOB</i> (as it will apply from 21 March 2016). The effect of article 31(2) is that the agreement is treated as a <i>regulated mortgage contract</i> rather than as a <i>regulated credit agreement</i>. <i>MCOB TP 42</i> allows a <i>second charge lender</i> and a <i>credit broker</i> to comply, before 21 March 2016, with <i>MCOB</i> as it will apply from that date without at the same time needing to comply with <i>CONC</i> or with pre 21 March 2016 provisions of <i>MCOB</i>. [expired]</p>		
53	<i>MCOB</i> 14	R	<p>A <i>firm</i> to which <i>MCOB</i> 14 will apply from 21 March 2016 may elect to comply with <i>MCOB</i> 14 from 21 September 2015. If so, from the date of that election:</p> <p>(i) the <i>rules</i> and other provisions in <i>CONC</i> will cease to apply to the <i>firm</i> with respect to the conduct governed by <i>MCOB</i> 14;</p>	21 September 2015 to 20 March 2016	21 March 2016

			<p>except for <i>CONC 1.2.8R</i>, the <i>rules</i> applied by <i>CONC 1.2.8R</i>, and any related provisions (for example, <i>CONC 1.2.10R</i>); and</p> <p>(ii) the <i>firm</i> must comply with <i>MCOB 14</i> with respect to its lending under <i>MCD article 3(1)(b) credit agreements</i> or, as the case may be, its <i>MCD article (3)(1)(b) credit intermediation activity</i>. <u>[expired]</u></p>			
54	<i>MCOB TP 1.53</i>	G	(1)	<p><i>MCOB TP 1.53</i> allows a <i>firm</i> to apply the <i>MCD</i> requirements relating to lending under <i>MCD article 3(1)(b) credit agreements</i> and <i>MCD article (3)(1)(b) credit intermediation activity</i> early. <u>[expired]</u></p>	21 September 2015 to 20 March 2016	21 March 2016
			(2)	<p>A <i>firm</i> should generally make one election under <i>MCOB TP 1.53</i> for all of</p>		

				<p>its <i>MCD article (3)(1)(b) credit intermediation activity</i>, or all of its lending under <i>MCD article 3(1)(b) credit agreements</i>, at any given time. <u>[expired]</u></p>		
			(3)	<p>Where a <i>firm</i> wishes to make different elections for different types of <i>MCD article (3)(1)(b) credit intermediation activity</i> or lending under <i>MCD article 3(1)(b) credit agreements</i>, it should maintain processes to ensure that the <i>rules</i> applicable to each type of activity and each agreement or <i>customer</i> are clearly identifiable to its staff and, on request, to <i>customers</i></p>		

			and the <i>FCA</i> . Its processes should also ensure that each agreement or <i>customer</i> is dealt with in compliance with the <i>rules</i> applicable to it or them. [expired]		
55	<i>MCOB</i> TP 1.20 to TP 1.53	R	If a <i>firm</i> elects under <i>MCOB</i> TP 1.20 to TP 1.53 to comply with provisions of the <i>FCA Handbook</i> which, but for this section, would not be in force before 21 March 2016; those provisions; and any other provisions in the <i>Handbook</i> which apply or on which they depend, are to apply in respect of the <i>firm</i> from the date of the election but in the form in which they will appear in the <i>Handbook</i> on 21 March 2016. [expired]	21 September 2015 to 20 March 2016	21 March 2016
56	<i>MCOB</i> 5 Annex 1R	R	A <i>firm</i> to which <i>MCOB</i> 5.6 applies (pursuant to <i>MCOB</i> 5.1) may elect from 4 December 2015 to use the text in the section of <i>MCOB</i> 5 Annex 1R	4 December 2015 to 20 March 2016	21 March 2016

			headed “Where can you get more information about mortgages?” as it will be in force from 21 March 2016. [expired]		
57	MCOB 5 Annex 1R	R	A <i>firm</i> to which MCOB 5.6 applies (pursuant to MCOB 5.1) may elect to use the text in the section of MCOB 5 Annex 1R headed “Where can you get more information about mortgages?” as in force immediately prior to 21 March 2016. [expired]	21 March 2016 to 3 December 2016	21 March 2016
58	MCOB 5 Annex 1R	G	MCOB 5.6 sets out the required content of an <i>illustration</i> to be provided to a <i>customer</i> by a <i>firm</i> , where required by MCOB 5.5. MCOB 5 Annex 1R, which sets out the format for that <i>illustration</i> , is amended on 21 March 2016. TP 56 and TP 57 allow a <i>firm</i> to elect the time at which to begin using the wording in the section of the <i>illustration</i> headed “Where can you get more information about mortgages?”, as amended from 21 March 2016, as		

			long as the <i>firm</i> begins to use the new wording within the period 4 December 2015 to 3 December 2016. <u>[expired]</u>		
...					

4 Other Transitional Provisions

(1)	(2) Material to which the transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision	(6) Handbook provisions: coming into force
...					
2	MCOB 9.4, MCOB 9 Annex 1R	R	<p>(1) This <i>rule</i> applies to a <i>firm</i> to which the Direction applied immediately before 26 January 2017.</p> <p>(2) The <i>firm</i> may continue to comply with MCOB 9.4 and MCOB 9 Annex 1R as if the modifications under the Direction were still in force, and may disregard the changes made to MCOB 9.4 and MCOB 9 Annex 1R by instrument FCA 2017/2, until 26 July 2017.</p> <p>(3) In this <i>rule</i>, references to the Direction for a “Modification by Consent for a Hybrid Lifetime Mortgage,”</p>	26 January 2017 to 26 July 2017	26 January 2017

			published on 7 April 2016. [expired]		
...					

TP 5 Transitional Provisions: Regulated mortgage contracts

TP 5.1 Transitional provisions for regulated mortgage contracts entered into before 31 October 2004

(1)	(2) Material to which the transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision: dates in force	(6) Handbook provision: coming into force
1	<i>MCOB 7.5.1R</i>	R	In relation to a legacy CCA mortgage contract, the firm must provide the first statement in respect of the contract required by MCOB 7.5.1R no later than thirteen months after the date on which the last statement in respect of the contract required under section 77A of the CCA was due. [expired]	21 March 2016 to 30 September 2017	31 October 2006

Annex K

Amendments to the Market Conduct sourcebook (MAR)

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

1 Market Abuse

...

1.10 Statutory exceptions

...

Takeover Code

...

1.10.4 G Behaviour conforming with any of the rules of the *Takeover Code* about the timing, dissemination or availability, content and standard of care applicable to a disclosure, announcement, communication or release of information, is unlikely to, of itself, amount to *market abuse*, if:

- (1) the rule is one of those specified in the table in *MAR* 1.10.5G;
- (2) the behaviour is expressly required or expressly permitted by the rule in question (the notes for the time being associated with the rules identified in the *Takeover Code* are treated as part of the relevant rule for these purposes); and
- (3) it conforms to any General Principle set out at Section B of the *Takeover Code* relevant to that rule.

1.10.5 G Table: Provisions of the Takeover Code conformity with which will be unlikely to, of itself, amount to market abuse (This table belongs to *MAR* 1.10.4G)

<i>Takeover Code</i> provisions:	
Disclosure of information which is not generally available	1(a) 2.1 plus notes , 2.57 , 2.611 , 2.9 plus notes 8 19.7 20.1, 20.2 , 20.3 <u>21.3</u> , <u>21.4</u> 28.4 <u>1</u> <u>30.1</u> , <u>30.5</u>

	37.3(b) and 37.4(a)
Standards of care	2.8 first sentence and note 4 19.1, 19.5 second sentence and note 2, 19.8 <u>20.6 second sentence</u> 23.1 plus notes 28.1
Timing of announcements, documentation and dealings	2.2, 2.4(b) 5.4 6.2(b) 7.1 11.1 note 6 only 17.1 21.2 <u>note 4 only</u> 30 <u>24.1(a)</u> <u>25.1(a)</u> 31.6(<u>ed</u>), 31.9 33 (in so far as it refers to <u>31.6(ed)</u> and 31.9 only) 38.5
Content of announcements	2.4 (a) and (b) 19.3

Annex L

Amendments to the Supervision manual (SUP)

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

16 Reporting requirements

...

16.10 Verification of firm details

...

Requirement to check the accuracy of ~~standing data~~ firm details and to report changes to the FCA

...

16.10.4A R ...

(2) *A credit union or a firm with permission to carry on credit-related regulated activity must submit any corrected firm details under SUP 16.10.4R(3):*

(a) to ~~static.data@fca.org.uk~~ firm.details@fca.org.uk or via post or hand delivery to the FCA marked for the attention of the '~~Static Data team~~ Customer Contact Centre'; or

...

...

...

16.12 Integrated Regulatory Reporting

...

Financial conglomerates

...

16.12.33 R Financial reports from a member of a financial conglomerate

Content of Report	Form (Note 1)	Frequency	Due Date
...			

Note 2	... For the purposes of the above, where relevant to the agreed reporting arrangements, <i>rules 9.40(1), 9.40(1A), 9.40(3) and 9.40(4) of IPRU(INS)</i> apply as they would if the <i>financial conglomerate</i> were an <i>insurance group</i> .
...	

...

16 Annex 21R Reporting Fields

...

2	SPECIFIC REPORTING FIELDS	
...		
(c)	Mortgages	
...		
Data reporting field	Code (where applicable)	Notes
Sales Data (report for all <i>regulated mortgage contracts</i>)		
...

<p>Type of mortgage</p>	<p>L = <i>lifetime mortgage</i> SA = <i>shared appreciation mortgage</i> SO = <i>shared ownership mortgage</i> BM = <i>business loan</i> BL= <i>bridging loan</i> GM = <i>guarantor mortgage</i> HN = <i>loan to a high net worth mortgage customer</i> BR = <i>buy-to-let mortgage (regulated)</i> LO = <i>low start mortgage</i> <u>RI = retirement interest-only mortgage</u> SB = <i>self-build mortgage</i> SE = <i>secured overdraft</i> SC = <i>second charge regulated mortgage contract</i> VN = <i>contract variation with no affordability assessment</i> N/A = <i>not applicable</i></p>	<p>Use code to indicate mortgage type. Report all relevant codes. Report 'NA' to denote 'not applicable' where codes do not apply. Report a 'guarantor mortgage' where the income of a guarantor has been included in the affordability assessment. Report a 'low start mortgage' where payments are made on an interest-only basis for a set period at the start of the mortgage, but payments contractually revert to a repayment basis after this set period. Report 'VN' for contract variations that result in a new regulated mortgage contract, where no affordability assessment has been undertaken in accordance with <i>MCOB</i> 11.6. Report 'L' if the mortgage is a lifetime mortgage of the type described in <i>MCOB</i> 9.4.132AR.</p>
<p>...</p>	<p>...</p>	<p>...</p>

...

21 Waiver

...

21 Annex 1G

...
Form of Waiver: Energy Market Participant

...

Modification: Transaction reports

5. The *FCA* directs that the part of the *Handbook* mentioned in the table apply to a firm which is not a *MiFID investment firm* or a *third country investment firm* with the modifications specified in the table.

Table:

Part of Handbook	Modification
<i>SUP 17</i>	<i>SUP 17</i> (Transaction reports) does not apply to the firm in relation to its <i>energy market activity</i> .
...	

Annex M

Amendments to the Energy Market Participants guide (EMPS)

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

1 Special guide for energy market participants

...

1.2 Parts of the Handbook applicable to energy market participants

...

1.2.3 G Applicability of parts of Handbook to energy market participants

This table belongs to *EMPS* 1.2.1G

	Part of Handbook	Applicability to energy market participants
Business Standards
	Market Conduct sourcebook (<i>MAR</i>)	This applies. However <i>MAR</i> 2 (Stabilisation) is likely to be of only marginal relevance to the business of an <i>energy market participant</i> . <i>MAR</i> 5 (Multilateral Trading Facilities) applies to an <i>energy market participant</i> that operates an ATS <u>MTF</u> , and <i>MAR</i> 5A (<u>Organised trading facilities</u>) applies to an <i>energy market participant</i> that operates an <i>OTF</i> .

Regulatory processes
	Supervision manual (<i>SUP</i>)	... (d) <i>SUP</i> 17A (Transaction

		<p>reporting): <u>does not apply to energy market participants</u> which are not <i>MiFID investment firms</i> or <i>third country investment firms</i> may be granted a waiver of this section in the FCA's discretion: see SUP 21; and</p>
...

Annex N

Amendments to the Oil Market Participants guide (OMPS)

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

1 Special guide for oil market participants

...

1.2 Parts of the Handbook applicable to oil market participants

...

1.2.2 G Applicability of parts of Handbook to oil market participants

This table belongs to *OMPS* 1.2.1G

	Part of Handbook	Applicability to oil market participants
...
Business Standards	...	
	Market Conduct sourcebook (<i>MAR</i>)	This applies; however <i>MAR</i> 2 (Stabilisation) is likely to be of only marginal relevance to the business of an <i>oil market participant</i> . <i>MAR</i> 5 (Multilateral Trading Facilities) applies to an <i>oil market participant</i> that operates an <u>ATS <i>MTF</i></u> , and <i>MAR</i> 5A (<u>Organised trading facilities</u>) applies to an <i>oil market participant</i> that operates an <u><i>OTF</i></u> .

Regulatory processes
	Supervision manual (<i>SUP</i>)	... (d) <i>SUP</i> 17A (Transaction reporting): <u>does not</u>

		<p><u>apply to an oil market participant</u> which is not a <i>MiFID</i> investment firm or a third country investment firm in relation to its oil market activity:</p>
...

Annex O

Amendments to the Service companies guide (SERV)

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

1 Handbook requirements for service companies

...

1.2 Parts of the Handbook applicable to service companies

...

1.2.2 G Parts of the Handbook applicable to service companies

This table belongs to *SERV* 1.2.1G

	Part of Handbook	Applicability to service companies
...
Regulatory processes
	Supervision manual (<i>SUP</i>)	... (g) <i>SUP</i> 17 <u>A</u> (Transaction reporting) does not apply: see <i>SUP</i> 17.1.1 <u>R</u> ; and
...

Annex P

Amendments to the Perimeter Guidance manual (PERG)

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

Part 1: Comes into force on 29 June 2018

2 Authorisation and regulated activities

...

2.7 Activities: a broad outline

...

Advising on conversion or transfer of pension benefits

2.7.16G G Under article 53E of the *Regulated Activities Order* giving advice to a person (“P”) who has *subsisting rights* in respect of any *safeguarded benefits* in their capacity as:

...

is a *regulated activity* if the advice is on the merits of P requiring the trustee or manager of the pension scheme to carry out any of the transactions listed in *PERG 2.7.16G* 2.7.16HG.

2.7.16H G The transactions in *PERG 2.7.16FG* 2.7.16GG are:

...

...

10 Guidance on activities related to pension schemes

...

10.4 Pension scheme service providers other than trustees

Q31 ...

- (8) Advising a *member of a pension scheme* or their *survivor* on the merits of requiring a trustee or manager of a pension scheme to convert, transfer or cash out *safeguarded benefits* could amount to *advising on conversion or transfer of pension benefits* (see *PERG 2.7.16FG* 2.7.16GG).

...

Q39 ...

... In addition to advice that may fall under article 53 of the *Regulated Activities Order*, giving advice to *members of a pension scheme* could amount to *advising on conversion or transfer of pension benefits* where the advice relates to rights or interests under a pension scheme which provides *safeguarded benefits* (see PERG ~~2.7.16FG~~ 2.7.16GG). This is the case regardless of how the rights or interests are held (see *PERG* 12.6). ...

Part 2: Comes into force on 1 July 2018

The certification forms A, B and C under PERG 7.6.2G are deleted and replaced with the following versions. The deleted versions are not shown and the new versions are not shown with underline.

Certification – Form A

Application for a periodical publication certificate

Full name of applicant proprietor



Full name of publication

Important information you should read before completing this form

This form should only be used to apply for a certificate under article 54 of the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001, when the application relates to a newspaper, journal, magazine or other periodical publication. It should not be used for an application relating to a service comprising regularly updated news or information in writing or other legible form or a TV or radio programme. Separate forms are available for these.

For further information please refer to PERG 7:

<https://www.handbook.fca.org.uk/handbook/PERG/7>

Please keep a copy of the forms you complete and any supporting documents you include with this application for your future reference.

The FCA processes personal data in line with the requirements of The General Data Protection Regulation (EU) 2016/679 and the Data Protection Act 2018. For further information about the way we use the personal data collected in this form, please read our privacy notice available on our website: www.fca.org.uk/privacy.

It is important that you provide accurate and complete information and disclose all relevant information. If you do not, it may call into question your suitability to be certified, you may be committing a criminal offence and could face prosecution under section 398A of FSMA regardless of the status of your application.

Terms in this application pack

In this pack, the FCA uses the following terms:

- 'you' refers to the person(s) signing the form on behalf of the applicant firm
- 'the applicant firm' refers to the firm applying for authorisation
- 'the FCA', 'we', 'us' or 'our' refers to the Financial Conduct Authority
- FSMA refers to the Financial Services and Markets Act 2000
- RAO refers the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001

Contents of this form

1	Contact details	3
2	Information about the publication	6
3	Application fee	9
4	Declaration of applicant	10



Filling in the form

1 If you are using your computer:

- use the TAB key to move from question to question and press SHIFT TAB to move back to the previous question
- print out all the parts of the form you have completed
- sign the declaration

2 If you are filling in the form by hand:

- use black ink
- write clearly
- sign the declaration

3 If you think a question does not apply to you, write 'not applicable' and explain why.

4 If you leave a question blank, do not sign the declaration or attach the required supporting information without telling us why, we will have to treat the application as incomplete. This will increase the time we take to assess your application.

5 If there is not enough space on the forms, you may need to use separate sheets of paper. Clearly mark each separate sheet of paper with the relevant question number.

6 Post the application consisting of:

- this form
- supporting documents
- the application fee to us at:

**Authorisations Support Team
The Financial Conduct Authority
12 Endeavour Square
LONDON
E20 1JN**

1

Contact details

We need this information in case we need to contact you when we assess your application.

1.1 Contact details of the applicant proprietor

Title	
First names	
Surname	
Address	
Postcode	
Phone number (including STD code)	
Mobile number (optional)	
Fax number (including STD code)	
Email address	

1.2 Name of publication

--

1.3 Contact details of publisher
 Tick if same as 1.1

Title	
First names	
Surname	
Address	
Postcode	
Phone number (including STD code)	
Fax number (including STD code)	
Email address	

1.4 Contact details of editor

Title	
First names	
Surname	
Address	
Postcode	
Phone number (including STD code)	
Fax number (including STD code)	
Mobile number (optional)	
Email address	

1.5 Contact details for the person handling this application

Tick if same as 1.1

Title	
First names	
Surname	
Address	
Postcode	
Phone number (including STD code)	
Fax number (including STD code)	
Mobile number (optional)	
Email address	

2 Information about your publication

2.1 How is it published?

If the electronic version differs materially from the hard copy, the two versions will need to be considered in separate applications.

- Hard copy
 Electronic form
 Both

2.2 How often is it published?

- Daily
 Weekly
 Monthly
 Quarterly
 Biannual
 Annual
 Other ▶ Give details below

2.3 What is the purpose(s) of the publication?

Please give details of the principal purpose and indicate if this is likely to change in the near future.

2.4 Attach any evidence to support the information given in Question 2.3 and please include details of the documents you have attached below.

- Business plan
 Statements of editorial policy
 Marketing literature
 Other ▶ Give details below

2.5 Why is the publication considered to qualify for the exclusion?

2.6 Why are you applying for a certificate?

--

2.7 Give details of the estimated average proportion (based on a representative sample of the publication) of material falling within each of the following categories.¹

a) Investment advice ²	%
b) Material which leads to or enables dealing in or acquiring financial products (which is not investment advice) ³	%
c) Material relating to financial products (which is neither advice nor material leading to/enabling dealing in or acquiring financial products investments) ³	%
d) Material that has nothing at all to do with financial product ³	%

Please give details of the criteria you use to distinguish material in (b) and (c). You must include examples of the material contained in the publication to illustrate the allocation of material to each category.

--

¹ For further information please refer to PERG 7:

<https://www.handbook.fca.org.uk/handbook/PERG/7>

² Investment advice means advice of the kind covered by articles 53, 53A, 53B, 53C or 53D RAO taking no account of the exclusion in article 54 RAO.

³ ie securities or relevant investments, as defined in article 3 RAO or regulated mortgage contracts, home reversion plans, home purchase plans or sale and rent back agreements.

2.8 What are your circulation figures?

For hard copy publications, give the most recent figures. Show separately any publications available only or partly in electronic form. If the publication is new, give the estimated circulation figures.

	Hard copy	Electronic copy
Number (UK)		
Number (Overseas)		
Period (From) (dd/mm/yyyy)		
Period (To) (dd/mm/yyyy)		

2.9 How have the figures in Question 2.8 been calculated?**2.10 What is the estimated readership in the UK?**

Please give details of the basis on which your estimate was made.

2.11 Please provide information about the readership profile.

Please include details of the source and basis of this information.

2.12 Are you producing monthly or more frequent publications?

- Yes ▶ You must attach six representative samples of the publication.
- No ▶ You must attach three representative samples of the publication.
- Samples attached

Please note, we may ask for further samples.

3

Application fee

You must send a cheque for the appropriate application fee in full with this application pack; otherwise the application will not be processed.

The application fee is £2000

You must pay the full application fee by cheque. **It is not refundable** (even if you decide to withdraw your application).

How to pay

- 1 Make the cheque payable to the Financial Conduct Authority. We cannot accept post-dated cheques.
- 2 Write the name of the applicant firm on the back of the cheque.
- 3 Write 'Application for certification' on the back of the cheque.
- 4 Send the cheque with the application pack.

4 Declaration of applicant

This declaration must be signed on behalf of the applicant by the editor.

I undertake to notify the FCA of any significant change in the information provided in this form which occurs after the date of submission of the application and prior to my receiving notification of the FCA's decision concerning the application.

I confirm that the information given in this application is complete and correct to the best of my knowledge and belief.

Signature	
Name	
Date	(dd/mm/yyyy)

Certification – Form B

Application for a TV or radio service certificate



Full name of applicant proprietor

Full name of TV or radio service

Important information you should read before completing this form

This form should be used to apply for a certificate under article 54 of the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 when the application relates to the broadcast or transmission of TV or radio programmes. It should not be used for an application in relation to a service comprising regularly updated news or information in writing or other legible form or a newspaper or other periodical publication. Separate forms are available for these.

For further information please refer to PERG 7:

<https://www.handbook.fca.org.uk/handbook/PERG/7>

Please keep a copy of the forms you complete and the supporting documents that you include with this application pack for your future reference.

The FCA processes personal data in line with the requirements of The General Data Protection Regulation (EU) 2016/679 and the Data Protection Act 2018. For further information about the way we use the personal data collected in this form, please read our privacy notice available on our website:

www.fca.org.uk/privacy .

It is important that you provide accurate and complete information and disclose all relevant information. If you do not, it may call into question your suitability to be certified, and you may be committing a criminal offence and could face prosecution under section 398A of the FSMA regardless of the status of your application.

Terms in this application pack

In this application pack the FCA uses the following terms:

- 'you' refers to the person(s) signing the form on behalf of the applicant firm
- 'the applicant firm' refers to the firm applying for authorisation
- 'the FCA', 'we', 'us' or 'our' refers to the Financial Conduct Authority
- 'FSMA' refers to the Financial Services and Markets Act 2000
- 'RAO' refers to the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001

Contents of this form

1	Contact details	3	3	Application form	9
2	Information about the publication	6	4	Declaration of applicant	10



Filling in the form

1 If you are using your computer:

- use the TAB key to move from question to question and press SHIFT TAB to move back to the previous question
- print out all the parts of the form you have completed
- sign the declaration

2 If you are filling in the form by hand:

- use black ink
- write clearly
- sign the declaration

3 If you think a question does not apply to you, write 'not applicable' and explain why.

4 If you leave a question blank, do not sign the declaration or do not attach the required supporting information without telling us why, we will have to treat the application as incomplete. This will increase the time we take to assess your application.

5 If there is not enough space on the forms, you may need to use separate sheets of paper. Clearly mark each separate sheet of paper with the relevant question number.

6 Post the application consisting of:

- this form
- supporting documents
- the application fee to us at:

**Authorisations Support Team
The Financial Conduct Authority
12 Endeavour Square
LONDON
E20 1JN**

1

Contact details

We need this information in case we need to contact you when we assess your application.

1.1 Contact details of the applicant proprietor

Title	
First names	
Surname	
Address	
Postcode	
Phone number (including STD code)	
Mobile number (optional)	
Fax number (including STD code)	
Email address	

1.2 Name of TV or radio service

--

1.3 Contact details of TV or radio station

Tick if same as 1.1

Title	
First names	
Surname	
Address	
Postcode	
Phone number (including STD code)	
Fax number (including STD code)	
Email address	

1.4 Contact details of person in day-to-day control of the service

Title	
First names	
Surname	
Address	
Postcode	
Phone number (including STD code)	
Fax number (including STD code)	
Mobile number (optional)	
Email address	

1.5 Contact details for the person handling this application

Tick if same as 1.1

Title	
First names	
Surname	
Address	
Postcode	
Phone number (including STD code)	
Fax number (including STD code)	
Mobile number (optional)	
Email address	

2 Information about the service

2.1 What are the means of provision of service?

Please state whether the service is provided solely by means of broadcast / transmission or is also available in some other form.

2.2 What are the broadcasting / transmission times?

2.3 What is the purpose(s) of the broadcast / transmission?

Please give details of the principal purpose and indicate if this is likely to change in the near future.

2.4 You must attach any supporting evidence to support the information given in Question 2.3. Please give details of the documents you have attached below.

- Business plan
 Statements of editorial policy
 Marketing literature
 Other ▶ Give details below

2.5 Why is the service considered to qualify for the exclusion?

2.6 Why are you applying for a certificate?

--

2.7 Give details of the estimated average proportion of material featured in the service which falls within each of the following categories.⁴

a) Investment advice ⁵	%
b) Material which leads to or enables dealing in or acquiring financial products (which is not investment advice) ³	%
c) Material relating to financial products (which is neither advice nor material leading to/enabling dealing in or acquiring financial products) ³	%
d) Material that has nothing at all to do with financial products ³	%

Please give details of the criteria used to distinguish material in (b) and (c). You must include examples of the material contained in the service to illustrate the allocation of material to each category.

--

2.8 What period was used for the estimate given in Question 2.7? (dd/mm/yyyy)

From

		/			/				
--	--	---	--	--	---	--	--	--	--

To

		/			/				
--	--	---	--	--	---	--	--	--	--

¹ For further information please refer to <https://www.handbook.fca.org.uk/handbook/PERG/7>

² Investment advice means advice of the kind covered by articles 53, 53A, 53B, 53C or 53D RAO taking no account of the exclusion in article 54 RAO.

³ I.e. securities or relevant investments, as defined in article 3 RAO or regulated mortgage contracts, home reversion plans, home purchase plans or sale and rent back agreements.

2.9 On what basis is this considered to give a representative view?

--

2.10 Please provide details of the audience figures

Give the most recent figures. If the service is new, give the estimated audience figures. Indicate the period to which the figures relate.

Number (UK)	
Number (Overseas)	
Period (From) (dd/mm/yyyy)	
Period (To) (dd/mm/yyyy)	

2.11 How have the figures in Question 2.10 been calculated?

--

2.12 Please provide information about your listener /viewer profile.

Please give details of the source and basis of information.

--

2.13 Please confirm that you have contacted the FCA to agree the means by which the FCA can access samples of the service concerned.

Yes

3

Application fee

You must send a cheque for the appropriate application fee in full with this application pack; otherwise the application will not be processed.

The application fee is £2,000

You must pay the full application fee by cheque. **It is not refundable** (even if you decide to withdraw your application).

How to pay

- 1 Make the cheque payable to the Financial Conduct Authority. We cannot accept post-dated cheques.
- 2 Write the name of the applicant firm on the back of the cheque.
- 3 Write 'Application for certification' on the back of the cheque.
- 4 Send the cheque with the application pack.

4 Declaration of applicant

This declaration must be signed on behalf of the applicant by the person in day-to-day control of the service.

I undertake to notify the FCA of any significant change in the information provided in this form which occurs after the date of submission of the application and prior to my receiving notification of the FCA's decision concerning the application.

I confirm that the information given in this application is complete and correct to the best of my knowledge and belief.

Signature	
Name	
Date	(dd/mm/yyyy)

Certification – Form C

Application for news or information service certificate

Full name of applicant proprietor



Full name of news or information service

Important information you should read before completing this form

This form should only be used if your application is for a certificate under article 54 of the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 when the application relates to a service comprising regularly updated news or information reading writing or other legible form. This form should not be used for an application relating to a newspaper or other periodical publication or a TV or radio programme. Separate forms are available for these.

For further information please refer to PERG 7:

<https://www.handbook.fca.org.uk/handbook/PERG/7/>

Please keep a copy of the forms you complete and the supporting documents that you include with this application pack for your future reference.

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www.fca.org.uk/privacy .

It is important that you provide accurate and complete information and disclose all relevant information. If you do not, it may call into question your suitability to be certified, and you may be committing a criminal offence and could face prosecution under section 398A of the FSMA regardless of the status of your application.

Terms in this application pack

In this application pack the FCA uses the following terms:

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- 'the applicant firm' refers to the firm applying for authorisation
- 'the FCA' , 'we', 'us' or 'our' refers to the Financial Conduct Authority
- 'FSMA' refers to the Financial Services and Markets Act 2000
- 'RAO' refers to the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001

Contents of this form

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2 Information about the publication	6	4	Declaration of applicant	10



Filling in the form

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- use the TAB key to move from question to question and press SHIFT TAB to move back to the previous question
- print out all the parts of the form you have completed
- sign the declaration

2 If you are filling in the form by hand:

- use black ink
- write clearly
- sign the declaration

3 If you think a question does not apply to you, write 'not applicable' and explain why.

4 If you leave a question blank, do not sign the declaration or do not attach the required supporting information without telling us why, we will have to treat the application as incomplete. This will increase the time we take to assess your application.

5 If there is not enough space on the forms, you may need to use separate sheets of paper. Clearly mark each separate sheet of paper with the relevant question number.

6 Post the application consisting of:

- this form
- supporting documents
- the application fee to us at:

**Authorisations Support Team
The Financial Conduct Authority
12 Endeavour Square
LONDON
E20 1JN**

1

Contact details

We need this information in case we need to contact you when we assess the application.

1.1 Contact details of the applicant proprietor

Title	
-------	--

First names	
-------------	--

Surname	
---------	--

Address	
Postcode	

Phone number (including STD code)	
-----------------------------------	--

Mobile number (optional)	
--------------------------	--

Fax number (including STD code)	
---------------------------------	--

Email address	
---------------	--

1.2 Name of service

--

1.3 Contact details of service provider

Tick if same as 1.1

Title	
-------	--

First names	
-------------	--

Surname	
---------	--

Address	
Postcode	

Phone number (including STD code)	
-----------------------------------	--

Fax number (including STD code)	
---------------------------------	--

Email address	
---------------	--

1.4 Contact details of person in day-to-day control of the service

Title	
-------	--

First names	
-------------	--

Surname	
---------	--

Address	
Postcode	

Phone number (including STD code)	
-----------------------------------	--

Fax number (including STD code)	
---------------------------------	--

Mobile number (optional)	
--------------------------	--

Email address	
---------------	--

1.5 Contact details for the person handling this application

Tick if same as 1.1

Title	
-------	--

First names	
-------------	--

Surname	
---------	--

Address	
Postcode	

Phone number (including STD code)	
-----------------------------------	--

Fax number (including STD code)	
---------------------------------	--

Mobile number (optional)	
--------------------------	--

Email address	
---------------	--

2 Information about the service

2.1 How is the service provided?

Please state whether the service is provided through a website, intranet, teletext or other. Is the service also available in another form?

2.2 How frequent is it?

Is the service available 24 hours per day? If not, indicate dates and times of availability.

2.3 What is the purpose(s) of the broadcast / transmission?

Please give details of the principal purpose and indicate if this is likely to change in the near future.

2.4 Please attach any supporting evidence to support the information given in Question 2.3. Please give details of the documents you have attached below.

- Business plan
- Statements of policy
- Marketing literature
- Other ▶ Give details below

2.5 Why do you consider the service as qualifying for the exclusion?

2.6 Why are you applying for a certificate?

--

2.7 Does the certificate cover the whole service? If not, how much of it does it cover?

Please define how much of the service the certificate will apply to e.g. if it is a website, will the certificate apply to the whole service or just part of it. If only part, how is the distinction made.

--

2.8 Give details of the estimated average proportion of material featured in the service which falls within each of the following categories.⁶

a) Investment advice ⁷	%
b) Material which leads to or enables dealing in or acquiring financial products (which is not investment advice) ³	%
c) Material relating to financial products (which is neither advice nor material leading to/enabling dealing in or acquiring financial products) ³	%
d) Material that has nothing at all to do with financial products ³	%

¹ PERG 7 contains FSA guidance on material – see <https://www.handbook.fca.org.uk/handbook/PERG/7/>

² Investment advice means advice of the kind covered by article 53, 53A, 53B, 53C or 53D RAO taking no account of the exclusion in article 54 RAO.

³ ie securities or relevant investments, as defined in article 3 RAO or regulated mortgage contracts, home reversion plans, home purchase plans or sale and rent back agreements.

Please give details of the criteria used to distinguish material in (b) and (c). You must include examples of the material contained in the service to illustrate the allocation of material to each category.

2.9 What period was used for the estimate given in Question 2.8? (dd/mm/yyyy)

From

		/			/				
--	--	---	--	--	---	--	--	--	--

To

		/			/				
--	--	---	--	--	---	--	--	--	--

2.10 On what basis do you consider that this offers a representative view?

2.11 Please provide us with your audience figures

Give the most recent figures. If the service is new, give the estimated audience figures. Indicate the period to which the figures relate.

Number (UK)	
Number (Overseas)	
Period (From) (dd/mm/yyyy)	
Period (To) (dd/mm/yyyy)	

2.12 How have the figures in Question 2.11 been calculated?

2.13 Please provide information about the profile and motives of the audience / readership.

Please give details of the source and basis of information.

2.14 Please confirm that you have contacted the FCA to agree the means by which we can access samples of your service.

Yes

3

Application fee

You must send a cheque for the appropriate application fee in full with this application pack; otherwise the application will not be processed.

The application fee is £2,000

You must pay the full application fee by cheque. **It is not refundable** (even if you decide to withdraw your application).

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- 1 Make the cheque payable to the Financial Conduct Authority. We cannot accept post-dated cheques.
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4 Declaration of applicant

This declaration must be signed on behalf of the applicant by the person in day-to-day control of the service.

I undertake to notify the FCA of any significant change in the information provided in this form which occurs after the date of submission of the application and prior to my receiving notification of the FCA's decision concerning the application.

I confirm that the information given in this application is complete and correct to the best of my knowledge and belief.

Signature	
-----------	--

Name	
------	--

Date	(dd/mm/yyyy)
------	--------------