

Fit and Proper test for Employees and Senior Personnel sourcebook

Chapter 1

General

1.1 Application and purpose

1.1.1

G *FIT* applies to:

- (1) an *SMCR firm*;
- (2) an applicant for *Part 4A permission* that will be an *SMCR firm* if the application succeeds;
- (3) [deleted]
- (4) an *approved person* performing an *FCA controlled function*;
- (5) a *candidate* for an *FCA controlled function*;
- (6) a *certification employee* performing an *FCA certification function*;
- (7) a *person* whom an *SMCR firm* is proposing to certify to perform an *FCA certification function*; and
- (8) a *board director* as set out in ■ FIT 1.1.2G(1)(e).

1.1.2

G The purpose of *FIT* is to set out and describe the criteria that:

- (1) an *SMCR firm* should consider when:
 - (a) assessing the fitness and propriety of a *candidate* whom the *firm* is proposing to put forward for approval as an *FCA-approved SMF manager*;
 - (b) assessing the continuing fitness and propriety of a *person* approved to perform the function of an *FCA-approved SMF manager*, including for formulating an opinion about whether there are any grounds on which the regulator could withdraw the approval given to that individual to perform that function under section 63(2A) of the Act;
 - (c) assessing the fitness and propriety of a *person* whom the *firm* is proposing to certify to perform an *FCA certification function*;
 - (d) assessing the continuing fitness and propriety of a *person* whom the *firm* has certified to perform an *FCA certification function*; and
 - (e) (in the case an *FCA-authorised person* that is not a *limited scope SMCR firm*) assessing the fitness of a *non-SMF board director* subject to competence requirements under the competent

employees rule, any onshored regulation or any other requirement of the regulatory system.

(2) the FCA will consider when assessing the fitness and propriety of a candidate for a controlled function, including a designated senior management function (see generally ■ SUP 10A and ■ SUP 10C on approved persons), and may consider when assessing the continuing fitness and propriety of approved persons.

1.1.3 G [deleted]

1.1.4 G [deleted]