

Chapter 17

Application of other parts of the Handbook

17.1 Application and purpose

17.1.1 **G** This chapter applies to a *firm* carrying out *regulated funeral plan activities*. It is intended to draw a *firm's* attention to the application of other key parts of the *FCA Handbook* to *firms*, as set out in the table at ■ FPCOB 17.1.2G.

17.1.2 **G** Application of other parts of the Handbook and of Regulatory Guides

Module	Relevance to Funeral Plan Firms
The Principles for Businesses (<i>PRIN</i>)	The Principles for Businesses (<i>PRIN</i>) set out high-level requirements imposed by the <i>FCA</i> . They provide a general statement of regulatory requirements. The <i>Principles</i> apply to all <i>firms</i> .
Senior Management Arrangements, Systems and Controls (<i>SYSC</i>)	SYSC 1 , SYSC 4 to SYSC 10 , SYSC 18 , SYSC 19F.3 , SYSC 21 , SYSC 22 , SYSC 23 , SYSC 24 , SYSC 27 and SYSC 28A apply to <i>firms</i> carrying out <i>regulated funeral plan activities</i> .
Code of Conduct (<i>COCON</i>)	This contains <i>rules</i> and <i>guidance</i> that are directly applicable to a <i>firm's</i> <i>SMF managers</i> , <i>certification employees</i> and other <i>conduct rules staff</i> . It also contains <i>guidance</i> for <i>firms</i> on giving their staff training about <i>COCON</i> and general factors to which the <i>FCA</i> will have regard when assessing compliance with the <i>COCON rules</i> .
Threshold Conditions (<i>COND</i>)	In order to become <i>authorised</i> under the <i>Act</i> all <i>firms</i> must meet the <i>threshold conditions</i> . The threshold conditions must be met on a continuing basis by <i>firms</i> . Failure to meet one of the conditions is sufficient grounds for the exercise by the <i>FCA</i> of its powers.
Statements of Principle and Code of Practice for Approved Persons (<i>APER</i>)	<i>APER</i> applies to <i>FCA approved persons</i> working within an <i>appointed representative</i> and so is not relevant to a <i>firm</i> without <i>appointed representatives</i> . The <i>Statements of Principle</i> are <i>rules</i> made under section 64A(1)(a) of the <i>Act</i> (Rules of conduct).

Module	Relevance to Funeral Plan Firms
<p>The Fit and Proper test for Employees and Senior Personnel (<i>FIT</i>)</p>	<p>The <i>Code of Practice for Approved Persons</i> sets out descriptions of conduct which, in the opinion of the <i>FCA</i>, do or do not comply with a <i>Statement of Principle</i>. The <i>Code of Practice for Approved Persons</i> also sets out, in certain cases, factors which, in the opinion of the <i>FCA</i>, are to be taken into account in determining whether or not an <i>approved person's</i> conduct complies with a <i>Statement of Principle</i>.</p> <p>The purpose of <i>FIT</i> is to set out and describe the criteria that a <i>firm</i> should consider when assessing the fitness and propriety of a <i>person</i>:</p> <ul style="list-style-type: none"> (1) in respect of whom an application is being made for approval to undertake a <i>controlled function</i> under the senior managers regime; (2) who has already been approved; (3) who is a <i>certification employee</i>; or (4) whom a <i>firm</i> is considering appointing to be a <i>certification employee</i>. <p>It also sets out and describes criteria that the <i>FCA</i> will consider when assessing the fitness and propriety of a <i>candidate for a controlled function</i> position and that it may consider when assessing the continuing fitness and propriety of <i>approved persons</i>.</p>
<p>Training and Competence (<i>TC</i>)</p>	<p><i>TC</i> sets out rules and guidance regarding the competence of a <i>firm's</i> employees, continuing professional development and associated record keeping requirements.</p>
<p>General Provisions (<i>GEN</i>)</p>	<p><i>GEN</i> contains <i>rules</i> and <i>guidance</i> on general matters, including interpreting the <i>FCA Handbook</i>, statutory status disclosure, the <i>FCA's</i> logo and insurance against financial penalties.</p>
<p>Fees manual (<i>FEES</i>)</p>	<p>This manual sets out the fees applying to <i>firms</i>.</p>
<p>Product Intervention and Product Governance Sourcebook (<i>PROD</i>)</p>	<p>The purpose of <i>PROD</i> is to improve <i>firms'</i> product oversight and governance processes. For <i>funeral plan products</i>, this sets out the systems and controls which need to be established by product <i>manufacturers</i> and <i>distributors</i> to deliver fair value products. <i>PROD</i> also sets out the <i>FCA's</i> statement of policy on mak-</p>

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Supervision manual (<i>SUP</i>)	<p>ing temporary and permanent product intervention rules.</p> <p><i>SUP</i> sets out the relationship between the <i>FCA</i> and <i>firms</i>. As a general rule, <i>SUP</i> contains material that is of continuing relevance after authorisation.</p>
Decision, Procedure and Penalties manual (<i>DEPP</i>)	<p><i>DEPP</i> sets out:</p> <p>(1) the <i>FCA</i>'s decision-making procedure for giving <i>statutory notices</i>. These are <i>warning notices</i>, <i>decision notices</i> and <i>supervisory notices</i> (<i>DEPP</i> 1.2 to <i>DEPP</i> 5); and</p> <p>(2) the <i>FCA</i>'s policy with respect to the imposition and amount of penalties under the Act (see <i>DEPP</i> 6).</p>
Dispute Resolution: Complaints (<i>DISP</i>)	<p><i>DISP</i> sets out <i>rules</i> and <i>guidance</i> in relation to treating complainants fairly and the <i>Financial Ombudsman Service</i>.</p>
Compensation (<i>COMP</i>)	<p><i>COMP</i> sets out <i>rules</i> relating to the scheme for compensating <i>consumers</i> when authorised <i>firms</i> are unable, or likely to be unable, to satisfy claims against them.</p>
Professional Firms (<i>PROF</i>)	<p><i>PROF</i> is relevant to <i>exempt professional firms</i> and <i>authorised professional firms</i> which engage in <i>funeral plan distribution</i>.</p>
The Enforcement Guide (<i>EG</i>)	<p>The Enforcement Guide (<i>EG</i>) describes the <i>FCA</i>'s approach to exercising the main enforcement powers given to it by the <i>Act</i> and by other legislation.</p>
Financial Crime Guide: A firm's guide to countering financial crime risks (<i>FCG</i>) and Financial Crime Thematic Reviews (<i>FCTR</i>)	<p><i>FCG</i> and <i>FCTR</i> provide <i>guidance</i> on steps that a <i>firm</i> can take to reduce the risk that it might be used to further <i>financial crime</i>.</p>
The Perimeter Guidance Manual (<i>PERG</i>)	<p>The purpose of <i>PERG</i> is to give <i>guidance</i> about the circumstances in which <i>authorisation</i> is required, or <i>exempt person</i> status is available, including <i>guidance</i> on the activities which are regulated under the <i>Act</i> and the exclusions which are available.</p>
The Unfair Contract Terms and Consumer Notices Regulatory Guide (<i>UNFCOG</i>)	<p><i>UNFCOG</i> explains the <i>FCA</i>'s policy on how it will use its powers under the Consumer Rights Act 2015 in relation to unfair terms and consumer notices.</p>