

## Insurance Prudential Sourcebook

### Schedule 5 Rights of action for damages

#### Schedule 5.1 G

The table below sets out the *rules* in *INSPRU* contravention of which by an *authorised person* may be actionable under section 138D(2) of the *Act* (Actions for damages) by a *person* who suffers loss as a result of the contravention.

#### Schedule 5.2 G

If a "Yes" appears in the column headed "For *private person*", the *rule* may be actionable by a *private person* under section 138D(2) (or, in certain circumstances, his fiduciary or representative; see article 6(2) and (3)(c) of the Financial Services and Markets Act 2000 (Rights of Action) Regulations 2001 (SI 2001/2256)). A "Yes" in the column headed "Removed" indicates that the *FCA* has removed the right of action under section 138D(3) of the *Act*. If so, a reference to the *rule* in which it is removed is also given.

#### Schedule 5.3 G

The column headed "For other *person*" indicates whether the *rule* may be actionable by a *person* other than a *private person* (or his fiduciary or representative) under article 6(2) and (3) of those Regulations. If so, an indication of the type of *person* by whom the *rule* may be actionable is given.

Chapter/ Appendix	Section/Annex	Right of action under section 138D(2)		
		For <i>private person</i>	Removed	For other <i>person</i>
All <i>rules</i> in <i>INSPRU</i>		No	Yes (INSPRU 9.1.1R)	No

