

## Chapter 10A

# FCA Approved Persons in Appointed Representatives



## 10A.15 References and accurate information

### References

- 10A.15.1 G (1) ■ SYSC 22 (Regulatory references) says that if a *firm* (A):
- is considering appointing a *person* (P) to perform any *controlled function* or certain other functions;
  - (b) requests a reference from a *firm* (B) that is P's current or former *employer*; and
  - (c) indicates to B the purpose of the request;
- B should, as soon as reasonably practicable, give a reference to A.
- (2) ■ SYSC 22.8.3R and ■ SYSC 22.8.4R (Appointed representatives) say that this applies to B's *appointed representatives* as well as to B.
- (3) [deleted]

10A.15.2 G [deleted]

10A.15.3 G [deleted]

10A.15.3A G [deleted]

### The need for complete and accurate information

- 10A.15.4 G The obligations to supply information to the *FCA* under either ■ SUP 10A.14.8R or ■ SUP 10A.14.10R apply notwithstanding any agreement (for example a 'COT 3' Agreement settled by the Advisory, Conciliation and Arbitration Service (ACAS)) or any other arrangements entered into by a *firm* or its *appointed representative* and an *employee* upon termination of the *employee's* employment. A *firm* should not (and should ensure that its *appointed representatives* do not) enter into any such arrangements or agreements that could conflict with its obligations under this section.
- 10A.15.5 G Failing to disclose relevant information to the *FCA* may be a criminal offence under section 398 of the *Act*.