

Chapter 10C

FCA senior managers regime
for approved persons in
SMCR firms

10C.4A FCA governing functions: General

PRA-authorized persons

10C.4A.1 **G** ■ SUP 10C.9 (Minimising overlap with the PRA approved persons regime) explains that in many cases a *person* performing one of the functions set out in ■ SUP 10C.5 or ■ SUP 10C.5A for a *PRA-authorized person* will not in fact require approval from the *FCA* to perform the function and will just require *PRA* approval.

Sole traders

10C.4A.2 **G**

- (1) An individual *sole trader* themselves will not need approval to perform any of the *FCA governing functions*. Therefore the *FCA governing functions* do not apply to a *sole trader* with no employees.
- (2) It is possible, although perhaps not likely in practice, that the *FCA governing functions* could apply to staff working for the *sole trader*.
- (3) In particular, it is possible for the *sole trader* to give sufficient authority to a staff member that the staff member meets the *Glossary* definition of a *director*.
- (4) This might happen, for example, if the *sole trader's* business is so large that the *sole trader* sets up a *governing body* to run it.

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