

**Senior arrangements, Systems and Controls**

## Chapter 15A

# Operational resilience



## 15A.1 Application

### Application

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- 15A.1.1** **R** This chapter applies to:
- (1) a *firm* that is:
    - (a) an *enhanced scope SMCR firm*;
    - (b) a *bank*;
    - (c) a *designated investment firm*;
    - (d) a *building society*;
    - (e) a *Solvency II firm*,
  - (2) a *UK RIE*;
  - (3) an *electronic money institution*, a *payment institution* or a *registered account information service provider*; and
  - (4) a *consolidated tape provider*.
- 15A.1.2** **R** In this chapter, a reference to a *firm* includes a *UK RIE*, an *electronic money institution*, a *payment institution*, a *registered account information service provider* and a *consolidated tape provider*.
- 15A.1.3** **R** This chapter does not apply to a *TP firm*, a *TA PI firm*, *TA RAISP firm* or a *TA EMI firm*.
- 15A.1.4** **R** This chapter does not apply to a *firm* which has its registered office (or, if it has no registered office, its head office) outside the *United Kingdom*.
- 15A.1.5** **R** In this chapter, a reference to a *client* in relation to a *UK RIE* includes a *person* who is entitled, under an arrangement or agreement between them and that *UK RIE*, to use the *UK RIE's facilities*.
- 15A.1.5A** **R** This chapter applies in relation to a *consolidated tape provider* as if a reference to a *client* includes a *person* who purchases a *consolidated tape for bonds* from:

- (a) a *consolidated tape provider*; or
- (b) a *data vendor*.

**15A.1.6** **R** In this chapter, a reference to a *client* in relation to a *firm* carrying on the activity of *managing a UK UCITS* or *managing an AIF* includes:

- (1) a *unitholder*; and
- (2) an investor in an *AIF*.

**15A.1.7** **R** The requirements in this chapter apply with respect to:

- (1) *regulated activities*;
- (2) activities that constitute *dealing in investments as principal*, disregarding the exclusion in article 15 of the *Regulated Activities Order* (Absence of holding out etc.);
- (3) *ancillary activities*;
- (4) in relation to *MiFID* or *equivalent third country business, ancillary services*;
- (5) *collective portfolio management*;
- (6) the provision of *payment services* and the issuance of *electronic money*, and activities connected to the provision of *payment services* and to the issuing of *electronic money* (whether or not the activity of issuing *electronic money* is specified in article 9B of the *Regulated Activities Order*);
- (7) any other *unregulated activities*, but only in a *prudential context*; and
- (8) *data reporting services* provided by a *consolidated tape provider*.

**15A.1.8** **R** Notwithstanding **SYSC 15A.1.7R**, where the requirements in this chapter apply to a *firm* only as a result of **SYSC 15A.1.1R(3)**, the requirements only apply to the provision of *payment services* and the issuance of *electronic money* by the *firm*, and activities connected to the provision of *payment services* and to the issuing of *electronic money* (whether or not the activity of issuing *electronic money* is specified in article 9B of the *Regulated Activities Order*).

**15A.1.9** **R** There is no territorial limitation on the application of this chapter.