

## Chapter 15A

# Operational resilience



15A.1      Application

Application

15A.1.1	R	<p>This chapter applies to:</p> <ul style="list-style-type: none"><li>(1) a <i>firm</i> that is:<ul style="list-style-type: none"><li>(a) an <i>enhanced scope SMCR firm</i>;</li><li>(b) a <i>bank</i>;</li><li>(c) a <i>designated investment firm</i>;</li><li>(d) a <i>building society</i>;</li><li>(e) a <i>Solvency II firm</i>,</li></ul></li><li>(2) a <i>UK RIE</i>;</li><li>(3) an <i>electronic money institution</i>, a <i>payment institution</i> or a <i>registered account information service provider</i>; and</li><li>(4) a <i>consolidated tape provider</i>.</li></ul>
15A.1.2	R	<p>In this chapter, a reference to a <i>firm</i> includes a <i>UK RIE</i>, an <i>electronic money institution</i>, a <i>payment institution</i>, a <i>registered account information service provider</i> and a <i>consolidated tape provider</i>.</p>
15A.1.3	R	<p>This chapter does not apply to a <i>TP firm</i>, a <i>TA PI firm</i>, <i>TA RAISP firm</i> or a <i>TA EMI firm</i>.</p>
15A.1.4	R	<p>This chapter does not apply to a <i>firm</i> which has its registered office (or, if it has no registered office, its head office) outside the <i>United Kingdom</i>.</p>
15A.1.5	R	<p>In this chapter, a reference to a <i>client</i> in relation to a <i>UK RIE</i> includes a <i>person</i> who is entitled, under an arrangement or agreement between them and that <i>UK RIE</i>, to use the <i>UK RIE's facilities</i>.</p>
15A.1.5A	R	<p>This chapter applies in relation to a <i>consolidated tape provider</i> as if a reference to a <i>client</i> includes a <i>person</i> who purchases a <i>consolidated tape for bonds</i> from:</p>

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|         |          | <ul style="list-style-type: none"> <li>(a) a <i>consolidated tape provider</i>; or</li> <li>(b) a <i>data vendor</i>.</li> </ul>  |
| 15A.1.6 | <b>R</b> | <p>In this chapter, a reference to a <i>client</i> in relation to a <i>firm</i> carrying on the activity of <i>managing a UK UCITS</i> or <i>managing an AIF</i> includes:</p> <ul style="list-style-type: none"> <li>(1) a <i>unitholder</i>; and</li> <li>(2) an investor in an <i>AIF</i>.</li> </ul>  |
| 15A.1.7 | <b>R</b> | <p>The requirements in this chapter apply with respect to:</p> <ul style="list-style-type: none"> <li>(1) <i>regulated activities</i>;</li> <li>(2) activities that constitute <i>dealing in investments as principal</i>, disregarding the exclusion in article 15 of the <i>Regulated Activities Order</i> (Absence of holding out etc.);</li> <li>(3) <i>ancillary activities</i>;</li> <li>(4) in relation to <i>MiFID</i> or <i>equivalent third country business, ancillary services</i>;</li> <li>(5) <i>collective portfolio management</i>;</li> <li>(6) the provision of <i>payment services</i> and the issuance of <i>electronic money</i>, and activities connected to the provision of <i>payment services</i> and to the issuing of <i>electronic money</i> (whether or not the activity of issuing <i>electronic money</i> is specified in article 9B of the <i>Regulated Activities Order</i>);</li> <li>(7) any other <i>unregulated activities</i>, but only in a <i>prudential context</i>; and</li> <li>(8) <i>data reporting services</i> provided by a <i>consolidated tape provider</i>.</li> </ul> |
| 15A.1.8 | <b>R</b> | <p>Notwithstanding ■ SYSC 15A.1.7R, where the requirements in this chapter apply to a <i>firm</i> only as a result of ■ SYSC 15A.1.1R(3), the requirements only apply to the provision of <i>payment services</i> and the issuance of <i>electronic money</i> by the <i>firm</i>, and activities connected to the provision of <i>payment services</i> and to the issuing of <i>electronic money</i> (whether or not the activity of issuing <i>electronic money</i> is specified in article 9B of the <i>Regulated Activities Order</i>).</p>  |
| 15A.1.9 | <b>R</b> | <p>There is no territorial limitation on the application of this chapter.</p>   |