

## Training and Competence

### Schedule 5 Rights of action for damages

#### Sch 5.1 G

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

#### Sch 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 (or, in certain circumstances, his fiduciary or representative). 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.

#### Sch 5.3 G

The column headed "For other person?" indicates whether the rule is actionable by a *person* other than a *private person* (or his fiduciary or representative). If so, an indication of the type of *person* by whom the *rule* is actionable is given.

#### Sch 5.4 G

Table: Actions for damages: Training and Competence sourcebook

Chapter/ Appendix	Section/ Annex	Paragraph	Right of action under section 138D		
			For private person	Removed	For other person
<i>Rules in TC</i>			No	Yes TC 1.2.1 R	No

