

HANDBOOK ADMINISTRATION (No 46) INSTRUMENT 2017

Powers exercised

- A. The Financial Conduct Authority makes this instrument in the exercise of the powers and related provisions listed in Schedule 4 (Powers exercised) to the General Provisions of the Handbook.
- B. The rule-making powers referred to above are specified for the purpose of section 138G(2) (Rule-making instruments) of the Financial Services and Markets Act 2000.

Commencement

- C. This instrument comes into force on 26 May 2017 except for Annex E which comes into force on 29 August 2017.

Amendments to the Handbook

- D. The modules of the Handbook of rules and guidance listed in column (1) below are amended in accordance with the Annexes to this instrument listed in column (2).

(1)	(2)
Fees manual (FEES)	Annex A
Interim Prudential sourcebook for Investment Businesses (IPRU(INV))	Annex B
Mortgages and Home Finance: Conduct of Business sourcebook (MCOB)	Annex C
Supervision manual (SUP)	Annex D
Dispute Resolution: Complaints sourcebook (DISP)	Annex E
Collective Investment Schemes sourcebook (COLL)	Annex F
Consumer Credit sourcebook (CONC)	Annex G
Investment Funds sourcebook (FUND)	Annex H

Notes

- E. In Annex D to this instrument, the “notes” (indicated by “**Note:**”) are included for the convenience of readers but do not form part of the legislative text.

Citation

- F. This instrument may be cited as the Handbook Administration (No 46) Instrument 2017.

By order of the Board
25 May 2017

Annex A

Amendments to Fees manual (FEES)

In this Annex, underlining indicates new text and striking through indicates deleted text.

4 Annex 11R Periodic fees in respect of payment services, electronic money, and regulated covered bonds

...

Part 3	
<p>This table indicates the tariff base for each fee-block. The tariff-base is the means by which the <i>FCA</i> measures the amount of business conducted by the <i>fee-paying payment service providers, fee-paying electronic money issuers, CBTL firms, MLR firms firms</i> registered under the <i>Money Laundering Regulations</i> and <i>issuers of regulated covered bonds</i>.</p>	
...	...

Annex B

**Amendments to the Interim Prudential sourcebook for Investment Businesses
(IPRU(INV))**

In this Annex, underlining indicates new text and striking through indicates deleted text.

Annex A LIMITED LIABILITY PARTNERSHIPS: ELIGIBLE MEMBERS' CAPITAL

Annex A.1 INTRODUCTION

...

Purpose

...

A.1.5G The following *rules* allow inclusion of members' capital within a *firm's* capital if it meets the conditions within this annex:

Chapter	IPRU(INV) rule	How eligible LLP members' capital should be treated for the purposes of the IPRU(INV) rule
...
10	Table 10-61(1)A Table 10-61(1)B Table 10-62(2)A Table 10-62(2)B Table 10-62(2)C	<i>Eligible members' capital may be counted as initial capital within the relevant table.</i>
...

Annex C

**Amendments to the Mortgages and Home Finance: Conduct of Business sourcebook
(MCOB)**

In this Annex, underlining indicates new text and striking through indicates deleted text.

4 Advising and selling standards

...

4.8A Execution-only sales

...

Exception: rate switches and other variations

...

4.8A.11 G ...

- (3) *Firms* are reminded that, if their presentation in *MCOB* 4.8A.10R(1)(b) has (either explicitly or implicitly) steered the *customer* towards any one or more ~~if~~ of the products offered by them such as to constitute advice, the requirements of *MCOB* 4.7A will apply.

...

...

14.1 Handbook provisions which apply in respect of MCD article 3(1)(b) credit agreements

...

14.1.3 R Subject to *MCOB* 14.1.5R and *MCOB* 14.1.7R:

...

(3)

- (c) *MCOB* 4A.3 (~~adequate explanations~~ record of recommendation).

...

Annex D

Amendments to the Supervision manual (SUP)

In this Annex, underlining indicates new text and striking through indicates deleted text, except where indicated otherwise.

10A Annex 4D **Form A: Application to perform controlled functions under the approved person regime**

This annex consists only of one or more forms. Note that there are separate forms for *Solvency II firms*, *large* and *small non-directive insurers*, *incoming EEA firms*, applicants for a *Part 4A permission* or variation of *permission* that would result in an initial authorisation under *MiFID*, applicants for a *Part 4A permission* that would result in the applicant becoming exempt under article 3 of *MiFID* and other *firms*. *Swiss general insurers* must use the forms for *large non-directive insurers* not the form for *Solvency II firms*. It also includes the scope of responsibilities form which must be included as an attachment to Form A in certain cases. An applicant applying for a *Part 4A permission* or variation of *permission* that would result in an initial authorisation under *MiFID* is only required to use the “Long Form A – UK and Overseas Firms (not including Incoming EEA) for MiFID authorisation applications” in relation to members of the *management body* or persons effectively directing its business.

Form A: Notes for completion (March 2016)

...

Short Form A for incoming EEA firms

Guidance notes: Application for ~~Authorisation~~ authorisation

[*Editor’s note*: The text shown on the following page is text moved from the location struck through above (PDF format) to this new location at the end of SUP 10A Annex 4D.]

Notes to assist with the completion of the Long and/or Short Form A for both UK and the Overseas, and Incoming EEA firms, when making an application to perform controlled function(s) under the ~~approved persons~~ Approved Persons regime including Senior Managers' and Senior Insurance Managers' Regime (Connect or Paper Form)

For MiFID authorisations applications please see guidance notes for the applicable MiFID Form A at SUP 10A Annex 4D.

Please take time to read these notes carefully. They will help you to fill in the Long and/or Short Form A correctly.

When completing the application forms you will need to refer to:

- the ~~Handbook~~ FCA Handbook: <https://www.handbook.fca.org.uk>; and
- the PRA Rulebook: <http://www.prarulebook.co.uk>.

If after reading these notes you need more help please:

- check our website: www.fca.org.uk;
- consult the ~~Handbook~~ Handbook: <https://www.handbook.fca.org.uk>;
- call the Customer Contact Centre on 0300 500 0597;
- call the PRA Firm Enquiries: 020 3461 7000;
- email the ~~FCA~~ FCA Customer Contact Centre: firm.queries@fca.org.uk; or
- email the ~~PRA~~ PRA: PRA.firmenquiries@bankofengland.co.uk

These notes, while aiming to help you, do not replace the rules and guidance in ~~The Handbook~~ the FCA Handbook or the PRA's Rulebook and supervisory statements.

Terms in these notes

These notes use the following terms:

- 'you' refers to the candidate for whom the Form A is being completed by the Applicant;
- 'candidate' (paper forms only) refers to the individual for whom the Form A is being completed by the Applicant;
- 'the Applicant' refers to the ~~firm~~ firm applying for authorisation of the candidate;
- 'the ~~FCA~~ FCA', 'we', 'us' or 'our' refers to the Financial Conduct Authority;
- 'the ~~PRA~~ PRA', refers to the Prudential Regulation Authority; and
- 'FSMA' refers to the Financial Services and Markets Act 2000.

What is the Form A used for?

The Form A is used by ~~an authorised firm~~ a firm which seeks the ~~FCA~~ FCA and/or ~~PRA~~

PRA's approval under section 59 of the Financial Services and Markets Act 2000 ("FSMA") for a particular individual to perform controlled functions. The Form A is referred to in the Supervision Manual ("SUP SUP") <https://www.handbook.fca.org.uk/handbook/SUP/> which is part of the Handbook.

Full details of the Approved Persons regime including, Senior Insurance Managers' (SIMR) regime, the Senior Managers' (SMR) and the application process are given in Chapter 10 of SUP SUP 10 (SUP SUP 10A, SUP 10A Annex 4D, SUP 10C and SUP 10C Annex 2D respectively) of the FCA Handbook FCA Handbook and 10B of the PRA Handbook) and the Parts relating to the Senior Managers Regime and Senior Insurance Managers Regime in the PRA Rulebook.

There are different versions of Form A for applications under the Senior Managers Regime, the Senior Insurance Managers Regime and for other firms - please ensure you are using the correct version.

Applications for corporate candidates must be made using an adapted Form A that will be supplied by the FCA FCA and/or PRA PRA upon request.

Important information about the Form A

The Form A is of the utmost importance to the FCA FCA and/or PRA PRA assessment of the fitness and propriety of the candidate.

All information relevant to the application must be provided to the FCA FCA and/or PRA PRA with the Form A. This applies even if the information is, or is believed to be, already known to the FCA FCA and/or PRA PRA, as a result of it being in the public domain, or has been previously disclosed to the FCA FCA and/or PRA PRA or to another regulatory body. In all circumstances, disclosures should be full, frank and unambiguous.

If the ~~firm~~ firm or candidate becomes aware of further information which might be relevant to the application following submission of the Form A, it should provide it to the FCA FCA and/or PRA PRA immediately. The obligation to provide full, frank and unambiguous information does not stop with the submission of the Form A.

The information supplied by the candidate should be verified by the ~~firm~~ firm wherever possible. If the FCA FCA and/or PRA PRA vetting checks reveal any matters that have not been disclosed, then applications will be delayed and, in some cases, possibly rejected.

The ~~firm~~ firm is responsible for the accuracy of the data and completion of the Form A. If the Form A is not fully and correctly completed, the FCA FCA and/or PRA PRA may need to return it for proper completion. This could significantly delay the FCA FCA and/or PRA's PRA's decision on whether to grant approval to perform the requested controlled functions.

The FCA FCA and/or PRA PRA may require the applicant to provide further information at any time after receiving an application and before determining whether approval is to be granted or not. It may direct the format in which this information is provided, for example, in an interview with the candidate.

Key assumptions about the firm and the candidate

The FCA FCA and/or PRA PRA relies on the information contained in the Form A and makes certain assumptions about the ~~firm~~ firm and the candidate in considering the information contained in the form. It is very important that the candidate and the ~~firm~~ firm are aware of these assumptions:

- (1-) It is assumed that the candidate is not performing the controlled function applied for. A candidate must not perform any controlled function until the ~~FCA~~ FCA and/or ~~PRA~~ PRA, has granted approval. If the ~~firm~~ firm permits the candidate to perform controlled functions without ~~FCA~~ FCA and/or ~~PRA~~ PRA approval it may be in breach of section 59 of FSMA and the candidate may also be in breach of his or her regulatory obligations;
- (2-) ~~It~~ It is assumed that the ~~firm~~ firm and the candidate know and understand the factors which the ~~FCA~~ FCA and/or ~~PRA~~ PRA takes into account when considering the fitness and propriety of the candidate. These factors are set out in the part of the ~~Handbook~~ Handbook entitled the Fit and Proper Test for Approved Persons (“~~FIT~~ FIT”) [~~https://www.handbook.fca.org.uk/handbook/FIT~~]; and in the Fitness and Propriety and in the Insurance – Fitness and Propriety Parts of the PRA Rulebook.
- (3-) ~~It~~ It is assumed that the candidate knows and understands the obligations and responsibilities of an approved person. ~~These are set out in the part of the Handbook entitled the Statements of Principle and Code of Practice for Approved Persons (“APER”)~~ [~~https://www.handbook.fca.org.uk/handbook/APER~~]; These are set out in the FCA Handbook and the PRA Rulebook including in the following:
- (a) the Statements of Principle and Code of Practice for Approved Persons (“APER”);
 - (b) COCON Code of Conduct;
 - (c) SUP 10A FCA Approved Persons;
 - (d) SUP 10C FCA senior management regime for approved persons in relevant authorised persons; and
in the Parts of the PRA Rulebook entitled: Senior Management Functions; Fitness and Propriety; Allocation of Responsibilities and Conduct Rules; and
 - (e) Insurance – Senior Insurance Management Functions; Insurance – Fitness and Propriety; Insurance – Allocation of Responsibilities; and Insurance – Conduct Standards;
 - (f) firms should also refer for further information to the PRA supervisory statements - SS 28/15 Strengthening individual accountability in banking for deposit takers, and SS 35/15 Strengthening individual accountability in insurance for insurers.
- (4-) ~~finally~~ Finally, it is assumed that both the ~~firm~~ firm and the candidate have read and understood these guidance notes in completing the Form A. The responsibility for the accuracy and completeness of the information supplied rests with the candidate and the ~~firm~~ firm. Seeking legal and/or compliance advice about how to complete the Form A will not discharge that responsibility.

Completing a Form A using Connect

If you are using Connect to complete a Form A it will ask you some initial questions to determine the sections you need to complete.

Completing a Paper Form A – Long or Short

The Form A must be completed in black ink and (if in manuscript) in BLOCK LETTERS.

Indicate clearly if a question is not applicable. Select the appropriate box where a yes/no answer is required. Where you answer “yes” you must:

1. provide further details in section 6 (Supplementary Information) of the Form A. If there
 - is insufficient space for a detailed answer then you may attach further pages; and
2. tick “yes” at the bottom of the relevant page of the Form A to confirm that you have
 - provided additional information.

If you want to attach additional information to the Form A it must be securely attached, for example by stapling it to the Form A and you should state in section 6 (Supplementary Information) the number of additional sheets attached.

There are two types of Form A; a Long Form A and a Short Form A. The key difference is that the Long Form A requires detailed information about the fitness and propriety of the candidate.

- For firms subject to the Senior Managers Regime, the circumstances in which each form may be used are detailed in SUP 10C (FCA senior management regime for approved persons in relevant authorised persons) of the FCA Handbook and the Senior Managers Regime – Applications and Notifications of the PRA Rulebook.
- For firms subject to the Senior Insurance Managers Regime and the FCA approved persons regime for insurers, the circumstances in which each form may be used are detailed in Senior Insurance Managers Regime - Applications and Notifications Parts of the PRA Rulebook and SUP 10A FCA Approved Persons of the FCA Handbook.
- For all other firms, the circumstances in which each form may be used are detailed in SUP 10A FCA Approved Persons of the FCA Handbook.

The Short Form A may be used if any of the following conditions apply:

1. an individual who is already an ~~approved person~~ approved person is applying to perform an additional ~~controlled function~~ controlled function under an arrangement with the same ~~firm~~ firm; or
2. the candidate has ceased to perform a ~~controlled function~~ controlled function under an arrangement with ~~firm~~ firm A and now requires approval to perform a ~~controlled function~~ controlled function under an arrangement with ~~firm~~ firm B. These can be two entirely different ~~firms~~ firms and not just two ~~firms~~ firms in the same group (however, see the ~~important~~ exception below at paragraph (3)) in the following paragraph; or
3. an individual who is already an approved person with another ~~firm~~ firm, ~~firm~~ firm B, is applying to perform a ~~controlled function~~ controlled function for a different ~~firm~~ firm, ~~firm~~ firm A and is already approved for that particular group of functions (i.e. either SIF functions: CF1-12B, CF28, CF29, 40 or 50). For example, the individual is approved to perform CF2 non-executive director for firm B and now seeks a second, additional approval to be CF1 director for another firm, ~~firm~~ firm A.

You should submit a curriculum vitae ('CV') with the Short Form A if the candidate's CV has altered from the last time they applied to hold a *controlled function* (i.e. it has changed from the last time the FCA and/or PRA had sight of the CV). ÷

The CV should be attached securely to the Short Form A by stapling it.

The Long Form A must be completed if:

1. ~~the candidate ceased to be an approved person~~ approved person more than six ~~months~~ months ago;
2. ~~the candidate or approved person~~ approved person is seeking approval in respect of a significant influence function ~~for the first time~~ and has either never had approval from the FCA or PRA to perform a SIF, SMF or PRA controlled function or ceased to have approval to perform that function more than six months ago; or
3. ~~there have been any matters arising in relation to the candidate's fitness and propriety which mean that their answers to Section 5 of the Long Form A (Fitness and Propriety) may have changed since they last completed a Form A (i.e. since they last made an application for approval).~~

For example, such matters could include (but are not limited to), where:

- the candidate has been investigated by the ~~FCA~~ FCA and/or ~~PRA~~ PRA, by another regulatory body or an authorised ~~firm~~ firm;
- the candidate has had CCJs registered against their name or has entered into a voluntary arrangement with creditors (whether formal or informal);
- the candidate has been convicted of criminal offences; or
- the candidate has been the subject of any civil action.

If you are in any doubt whether a Short Form A is acceptable, please submit a Long Form A and make full disclosure of all issues which could potentially be relevant. A Long Form A is acceptable in all circumstances. ~~If in doubt, disclose.~~ Please see SUP 10A Annex 2G and SUP 10C Annex 1G.

Contents	
The text in brackets refer to the Paper Form A sections	
	Page
Approved Person Application (Not applicable to paper forms)	6
Application Contact	7

Details (Firm Identification Details – section 2)		
Individual Details (Personal identification details – section 1)		8
Individual Arrangement (Arrangement and controlled functions – section 3)		10
Apply for Controlled Functions (Arrangement and controlled functions – section 3)		11
Employment History (Employment history in the past 5 years – section 4) (not applicable to Paper Short Form A)		15
Fitness & Propriety (Fitness and propriety – section 5) (not applicable to Paper Short Form A)		16
Supporting Documents (Supplementary Information – section 6)		26
Individual Declaration (Declarations and signatures – section 7)		27

Approved Person Application

This section is for Connect only and determines which sections of the Form are displayed for

the applicant to complete.

Approved Person Application

Has the candidate previously been approved by the FCA/PRA?

No additional notes.

If yes, you will be asked to provide your individual reference number, your date of birth, national insurance number and/or passport number and nationality.

Application Contact Details

If you are using the paper forms, this section contains the notes you will need for Section 2 – Firm Identification Details.

Please enter the contact details of the person we will get in touch with about this application.

This should be someone in the UK.

If you feel that a second contact name is useful e.g. if the main contact won't be available for a long period of time, please provide details in the Supporting Documents Section if using Connect, or in Section 6 (Supplementary Information) in the Paper Form A.

Associated Individual

See Question 2.03 in the Paper Form A (these notes are in a different order to the Paper Form A)

Title, First Name(s), Last Name

No additional notes.

Job Title

No additional notes.

Mobile Number

No additional notes.

Email Address

No additional notes.

Address, Country

No additional notes.

Phone Number

No additional notes.

Fax Number

No additional notes.

Individual Details

If you are using the paper forms, this section contains the notes you will need for Section 1 – Personal Identification Details.

If you are using Connect to complete your Form A this section will be prepopulated if previously approved by the ~~FCA/PRA~~ FCA/PRA and the individual reference number has been supplied.

If you are completing a Paper Form A you will find some of this guidance in a slightly different order (see Questions 1.01-1.14).

Details of the Individual

Title, First Names and Last Name

No additional notes.

Personal Identification Details

Commonly used First Names and Last Name

If the candidate is commonly known by a different name other than that which appears on their passport or national insurance card then put this name here. This may include, for example, a shortened version of their full name or where they are known by a middle name or names given as a result of naming conventions whether for religious or other reasons. If the candidate has more than one alternative name, please give all other names known by in the Supporting Documents section on Connect, or the Supplementary Information (Section 6) on the Paper Form A.

Date of Birth

No additional notes.

National Insurance Number

No additional notes.

Passport Number

If the candidate has more than one passport number, please give all passport numbers held and the reasons for this in the Supporting Documents section on Connect, or the Supplementary Information (Section 6) on the Paper Form A.

Nationality

If the candidate has more than one nationality, please give all nationalities held and the

reasons for this in the Supporting Documents section on Connect, or the Supplementary Information (Section 6) on the Paper Form A.

Place of Birth

No additional notes.

Previous Names

If the candidate has changed their name (surname or forenames), for example due to marriage, then please enter this previous name. If the candidate has more than one previous name, please provide all details here.

Address Details

Current and Previous Addresses

A full 3 year history for all ~~United Kingdom~~ United Kingdom addresses must be given for the candidate. If any gaps are as a result of the candidate being resident outside the ~~UK~~ United Kingdom, please state this and give details of where the candidate resided during this period.

The system will not allow this question to be validated until a full 3 year history has been provided.

Directorships

Has the candidate held any directorships in the last 10 years?

If yes, you will be asked to provide Name of Undertaking, Nature of Business, Country of Incorporation, Date the Directorship ceased.

You can find the meaning of Director in the ~~Glossary~~ Glossaries to the *FCA Handbook* and the *PRA Rulebook*.

If you are completing the Paper Form A you will be asked to provide this information in Supplementary Information (section 6).

Individual Arrangements

If you are using the paper forms, this section contains the notes you will need for Section 3 – Arrangement and controlled functions.

Arrangements

State the nature of the arrangement between the candidate and the applicant firm.

If you answer Group Employee, you will be asked the Name of Group.

If you answer Other Arrangement, you will be asked the Reason.

Paper Form A (See Question 3.01)

Please select the box in 3.01 that most accurately describes the arrangement with the candidate.

If the candidate will perform a ~~controlled function~~ *controlled function* on behalf of the ~~firm~~ *firm* for an appointed representative of the ~~firm~~ *firm* then select the appropriate box at 3.01e or 3.01f and detail the ~~firm~~ *firm* name and firm reference number. If the candidate proposes to perform ~~controlled functions~~ *controlled functions* for more than one appointed representative, then the details of each appointed representative, including the ~~firm~~ *firm* name and firm reference number should be provided in Supplementary Information – section 6.

Apply for Controlled Functions

If you are using the paper forms, this section contains the notes you will need for Section 3 – Arrangement and controlled functions.

Please note this section is different if you are completing a Paper Form A, please see notes on page 13.

You can either search for firm or you can select from firms associated with your user account list.

Search for Firm

No additional notes.

Select from firms associated with your user account

No additional notes.

Select the controlled functions required

For more information on the specification of functions, refer to <https://www.handbook.fca.org.uk/handbook/SUP/10A/4.html> *SUP 10A.4, SUP 10C.1 and (SMR) or the Senior Management Functions or Insurance- Senior Insurance Management Functions parts of the PRA Rulebook.*

Firm Specific Questions

If you select CF1, CF3, CF5, CF6, CF8 or CF 29 or;

if you select SMF1, SMF2, SMF3, SMF4, SMF5, SMF6, SMF7, SMF16, SMF17,

SMF18, SMF19, SMF20, or SMF22 under SMR or;

if you select SIMF1, SIMF2, SIMF4, SIMF5, SIMF7, SIMF19, SIMF21, SIMF22, SIMF23 under SIMR;

you will be asked to select a box if the individual is responsible for insurance mediation.

This is not a ~~controlled function~~ *controlled function* in its own right. However, every ~~firm~~ *firm* that carries on insurance mediation activities must appoint an approved person(s) who will be responsible for insurance mediation activities at the *firm* (as detailed in ~~MIPRU~~ *MIPRU 2.2*).

<https://www.handbook.fca.org.uk/handbook/MIPRU/2/2.html>.

This responsibility must be allocated to a member of the governing body of the ~~firm~~ *firm* or in certain circumstances, a senior manager (i.e. an individual that is applying for approval as CF1, 3-8 or 29).

Please note that insurance mediation is not applicable to ~~appointed representatives~~ *appointed representatives*.

If you select CF2, the role to be undertaken must be provided.

You must choose one of the available roles in the box provided.

If you select CF28 or CF28 and CF29 you will be asked to select the area of responsibility and the Job Title.

No additional notes.

If you select CF29 you will be asked to enter the Job Title

No additional notes.

Additional Questions

Role Description

No additional notes.

Organisation Chart (showing the candidates upward and downwards reporting)

No additional notes.

Is the candidate a member or chairman of any sub-boards or other committees

No additional notes.

Supporting Documents

Description or document setting out how the competency was assessed (demonstrating

competence and suitability mapped to the specific role and its responsibilities)

No additional notes.

Description or copy of the candidates skill's Gap Analysis

No additional notes.

Description or copy of the candidates Learning and Development plan (including the name of the individual responsible for monitoring the candidate's progress against the development points and the time frame for completion).

No additional notes.

Description or copy of candidate's Induction Programme

No additional notes.

Significant Influence SIF/SMR/SIMR

If you select a Significant Influence Function/Senior Management/Senior Insurance Management function and you are a larger firm you will be asked the following three questions:

Please provide full details of why the candidate is competent and capable to carry out the controlled function(s) applied for.

No additional notes.

Please provide full details of why the appointment complements the firm's business strategy, activity and the markets in which it operate (where applicable).

No additional notes.

Please provide full details of the process undertaken in making the appointment including details of any discussions at governing body level (if any).

No additional notes.

Mandatory Documents

If you select a significant influence function (CF1 to CF29) or any of the Senior Management or Senior Insurance Management functions you will be asked to attach a ~~curriculum vitae (C.V.)~~ CV.

No additional notes.

Non MiFID Business

If the firm is an EEA authorised firm you will be asked ‘Is the application in respect of any non-MiFiD business?’

No additional notes.

Fitness & Propriety

If the candidate has been previously approved by the ~~FCA/PRA~~ FCA/PRA then you will be asked ‘Has the candidate’s fitness & propriety changed?’

If yes, you will be presented with the Fitness and Propriety section and the Employment History section to complete as part of this application.

Effective Date

Effective Date of Change

You should enter the effective date of the controlled function being applied for.

Reason for Past Effective Date

No additional notes.

Paper Form A users

Where the application is for the candidate to perform the controlled function(s) at a single ~~firm~~ firm, the ~~firm~~ firm should answer questions 3.02, 3.03 and 3.04. However, if the application is being made on behalf of a candidate who proposes to perform controlled functions for more than one ~~firm~~ firm, then the final question of section three (3.04 and 3.05 where applicable) must also be answered to describe the controlled functions and the relationships between the candidate and each ~~firm~~ firm for which the candidate proposes to perform the controlled function.

Question 3.02 – Guidance about the particular controlled functions can be found in ~~Chapter 10 of the Supervision manual. SUP 10A of the FCA manual and 10B of the PRA manual~~ SUP 10C (for senior management functions) and SUP 10A (for all other controlled functions). For more information on Senior Management Functions and Senior Insurance Management Functions, please refer to SS28/15 and SS35/15, which are published on the PRA website.

Question 3.03 – This box should be left blank in all cases unless there is a reason to delay the commencement of the performance of the controlled functions (subject to approval) until a date which is after the ~~FCA~~ FCA and/or ~~PRA~~ PRA published standard response times, details of which can be found at:

www.fca.org.uk/your-fca ; and/or

www.bankofengland.co.uk/PRA

The ~~FCA~~ FCA and/or ~~PRA~~ PRA will assume that the ~~firm~~ firm wishes an application to be determined as soon as possible unless this box is completed and the reason for the delay set out in section 6 of the Form A.

Please note that the candidate must not perform the controlled function until the ~~FCA~~ FCA and/or ~~PRA~~ PRA approval has been granted. To do so will mean that both the ~~firm~~ firm and the candidate may be in breach of ~~FCA~~ FCA and/or ~~PRA~~ PRA rules and principles.

Question 3.04 - If the candidate seeks approval for a significant influence function, the specific job title of the candidate must be included.

Insurance Mediation

This is not a controlled function in its own right. However, every ~~firm~~ firm that carries on ~~insurance mediation activities~~ insurance mediation activities must appoint an ~~approved person(s)~~ approved person(s) who will be responsible for ~~insurance mediation activities~~ insurance mediation activities at the ~~firm~~ firm (as detailed at see MIPRU 2.2; <https://www.handbook.fca.org.uk/handbook/MIPRU/2/2.html>).

This responsibility must be allocated to a member of the ~~governing body~~ governing body of the ~~firm~~ firm or in certain circumstances, a ~~senior manager~~ senior manager (i.e. an individual that is applying for approval as CF1, 3-8 or 29).

Please note that ~~insurance mediation~~ insurance mediation is not applicable to ~~Appointed Representatives~~ appointed representatives.

Where a ~~firm~~ firm has appointed an appointed representative to carry on ~~insurance mediation activity~~ insurance mediation activity on its behalf, the person responsible for the ~~firm's~~ firm's insurance mediation activity will also be responsible for the ~~insurance mediation activity~~ insurance mediation activity carried on by an ~~appointed representative~~ appointed representative.

Mortgage Credit Directive Intermediation

The term ‘Mortgage Credit Directive (MCD) intermediation activity’, as used within this application, is equivalent to the term ‘MCD credit intermediation activity’ as defined with the Glossary of the *FCA Handbook*.

This is not a ~~controlled function~~ controlled function in its own right. However, every ~~firm~~ firm that carries on MCD credit intermediation activities must appoint an ~~approved person(s)~~ approved person(s) who will be responsible for MCD credit intermediation activities at the ~~firm~~ (see at MIPRU 2.2); <https://www.handbook.fca.org.uk/handbook/MIPRU/2/2.html>).

This responsibility must be allocated to a member of the ~~governing body~~ governing body of the ~~firm~~ firm or in certain circumstances, a ~~senior manager~~ senior manager (i.e. an individual that is applying for approval as CF1, 3-8 or 29).

Where a ~~firm~~ *firm* has appointed an ~~appointed representative~~ *appointed representative* to carry on ~~MCD credit intermediation activity~~ *MCD credit intermediation activity* on its behalf, the person responsible for the ~~firm's~~ *firm's* ~~MCD credit intermediation activity~~ *MCD credit intermediation activity* will also be responsible for the ~~MCD credit intermediation activity~~ *MCD credit intermediation activity* carried on by an ~~appointed representative~~ *appointed representative*.

Unless the ~~firm~~ *firm* indicates otherwise, the ~~FCA~~ *FCA* and/or the ~~PRA~~ *PRA* assumes that the arrangement given on the application form includes all of the activities that fall within the description of the ~~controlled function~~ *controlled function*. This means that a ~~firm~~ *firm* may alter a candidate's responsibilities within the broad description of a ~~controlled function~~ *controlled function* without needing further approval from the ~~FCA~~ *FCA* and/or the ~~PRA~~ *PRA*. However, they will be required to record this change on the scope/statement of responsibilities record (where applicable) that is maintained by the *firm* for each individual in a *controlled function*.

Employment History

This section will not be displayed if you have been approved for a function within the last six ~~months~~ *months* and your Fitness and Propriety and Employment History has not changed.

If you are using the paper forms, this section contains the notes you will need for Section 4 – Employment history in the past 5 years.

What is the candidate's current employment status?

If you answer Unemployed or in Full time education on Connect or you tick c or d on the Paper Form A then you will be asked the following:-

- **Period: From**
- **Please provide details of the previous employment history**

If you answer Employed or Self Employed you will be asked:

- **Period: From**
- **Name of employer**
- **Nature of business**
- **Has this employer previously been known by a different name? if yes you will be asked for Previous / other name of employer**
- **Last known address of employer**
- **Is/Was the employer regulated by a regulatory body? If yes, you will be asked for Name of regulatory body**
- **Is/Was the employer an Appointed representative? If yes, you will be asked for: Of which principal ~~firm~~ *firm*, the Position held and the Responsibilities?**

- **Position held**
- **Responsibilities**
- **Reason for leaving (if more than one employment)**

A full five-year employment history for the candidate must be provided including the current employment at the time of application, with all gaps explained. If the record of employment does not go back five years, all periods of education and unemployment must be indicated. Full details of any periods of self-employment must be included.

Always give the address of the actual place of employment, rather than a central head office.

State the position held by the candidate and a brief explanation of his or her duties. If the candidate's job title included the word "director" but his or her duties did not include those associated with the title of director, as defined in the ~~Glossary~~ Glossary, this should be indicated.

Fitness and Propriety

This section will not be displayed if you have been approved for certain controlled functions within the last six ~~months~~ months and your Fitness and Propriety and Employment History has not changed.

If you are using the paper forms, this section contains the notes you will need for Section 5 – Fitness and propriety.

If any disclosures are made in the fitness and propriety section of the application to perform a ~~controlled function~~ controlled function, full details should be provided in support of the application. This includes disclosures about any previous disciplinary investigation by previous regulators or employers involving the candidate.

We take non-disclosure seriously, especially where there is an apparent attempt to mislead. Non-disclosure will add to the seriousness of the undisclosed issue. If our vetting checks reveal any matters that have not been disclosed, then applications will be subject to investigation and the candidate's suitability to be approved will be called into question. A person who knowingly or recklessly provides information to the ~~FCA~~ FCA and/or the PRA that is false or misleading may commit a criminal offence, and could face prosecution under section 398 of the ~~Act~~ FSMA (Misleading FCA or PRA: residual cases) regardless of the status of their application.

You should also be aware that, while advice may be sought from a third party (e.g. legal advice), responsibility for the accuracy of information, as well as the disclosure of relevant information, on the form is ultimately the responsibility of the ~~firm~~ firm and the candidate.

Connect

Answer the question by ticking the relevant 'yes' or 'no' box. If the answer to any of the questions is 'yes', you will be prompted to provide more details.

Paper Form A

If you answer 'yes' to any of the questions in this section, you must give complete details in section 6 of the form and attach relevant supporting documentation.

Terms used:

- **Criminal proceedings** – includes any proceedings from the point at which an individual or a ~~firm~~ firm is charged with a criminal offence to the point at which sentence is given.
- **Conviction** – includes any absolute or conditional discharge orders made against the person concerned.
- **Judgement debt** – a court judgment or order requiring a payment of money to be made by the individual or by a ~~firm~~ firm at which the individual previously held a position of influence.
- **Authorisation** – includes any authorisation, licence, registration, approval, notification, membership or relevant permission required to carry on any activity. This need not be an activity regulated by the ~~FCA~~ FCA or PRA but applies to all activities requiring some kind of authorisation.
- **Position of Influence** – includes acting as a controller, director, senior manager, managing member, designated member, partner company secretary, or otherwise performing a role of similar influence or responsibility.
- **Regulated activities** – includes not only activities regulated by the ~~FCA~~ FCA and/or PRA under FSMA, but also activities under the ~~Payment Services Regulations 2009~~ Payment Services Regulations and ~~Electronic Money Regulations 2011~~ Electronic Money Regulations. It also includes activities regulated by other regulatory bodies (see definition of regulatory body below).
- **Regulatory body** – For the purposes of this form, a regulatory body includes but is not limited to the following:
 - a self-regulatory organisation – including Investment Management Regulatory Organisation (~~IMRO~~ IMRO), Securities and Futures Agency (~~SFA~~ SFA), Personal Investment Authority (~~PIA~~ PIA), Life Assurance and Unit Trust Regulatory Organisation (LAUTRO), Financial Intermediaries, Managers and Brokers Regulatory Association (FIMBRA), Association of Futures Brokers and Dealers Limited (AFBD), The Securities Association Limited (TSA);
 - a current or former statutory body, including the Financial Conduct Authority (~~FCA~~ FCA), Prudential Regulatory Authority (~~PRA~~ PRA), Financial Services Authority (FSA), Office of Fair Trading (OFT), Securities and Investments Board (SIB), the Society of Lloyd's, the Registry of Friendly Societies, the Friendly Societies Commission, the Building Societies Commission, the Bank of England, HMRC, the Treasury – Insurance Directorate (formerly the DTI) and the recognised bodies;

- the Serious Organised Crimes Agency (SOCA) or the Serious Fraud Organisation (SFO) or any police body;
- a ~~designated professional body~~ *designated professional body* (a professional body designated by the Treasury under section 326A of the Financial Services and Markets Act 2000); or the equivalent of any of these regulatory bodies overseas.

It is for ~~senior management~~ *senior management* to decide what checks should be made (subject to the specific provisions further below for *firms* subject to the SMR or SIMR). Under the ~~Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (the Order)~~ (see ~~Articles 3 and 4 of the Order~~) the ~~FCA and/or PRA~~ and the firm have a right to ask about spent, as well as unspent, criminal convictions for employment purposes about candidates for approved person status. ~~Whilst Cautions may become spent, the exceptions listed in the exceptions order made under the Rehabilitation of Offenders Act 1974 allow the FCA to require an applicant to give details of spent cautions. This requirement does not apply however to "protected" cautions. Protected cautions are defined in article 4 of The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 (SI 2013/1198) (the Order).~~

An applicant who has been given a caution should check article 4 to see if their caution meets the conditions in the article. If it does, the applicant is not required to disclose the caution to the FCA; if it does not, they are required to disclose the caution (see <http://www.fca.org.uk/yourfca/documents/disclosing-convictions-in-form-a>)

Please also note that ~~FIT~~ *FIT* 2.1.3G contains non-exhaustive ~~guidance~~ *guidance* on factors that the ~~FCA~~ *FCA* may take into account on a case-by-case basis or in the case of approval by the ~~PRA~~ *PRA*, see SS28/15 for deposit takers, and SS35/15 for insurers, as appropriate when determining an application for approval and that, in any event, it is FSMA that sets out the threshold that a person must meet in order to be approved to perform a controlled function.

Criminal proceedings

When answering the questions in this section the candidate should include matters whether in the *United Kingdom* or overseas. By virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, if the candidate is subject to the law of England and Wales, the candidate must disclose spent convictions and cautions (other than a protected conviction or caution). By virtue of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013 and the Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979, if the candidate is subject to the law of Scotland or Northern Ireland, spent convictions must be disclosed (other than a protected conviction). For the avoidance of doubt, references to the legislation above are references to the legislation as amended.

Question 5.01.1a on Paper Form A/1.1.1a. (Question 5.01.1a on Paper Form A) in electronic version

Have you ever been convicted of any criminal offence (whether spent or not and

whether or not in the United Kingdom):

- ~~Involving~~ involving fraud, theft, false accounting, offences, against the administration of public justice (such as perjury, perverting the course of justice and intimidating of witnesses or jurors), serious tax offences or other dishonesty, or
- ~~Relating~~ relating to companies, building societies, industrial and provident societies, credit unions, friendly societies, insurance, banking or other financial services, insolvency, consumer credit or consumer protection, money laundering, market manipulations or insider dealing?

This question requires disclosure of any criminal convictions, whether spent or unspent (other than protected convictions which need not be disclosed when the law in England & Wales applies). These convictions should be disclosed, even if the conviction was overseas. As stated in the form, you should include any conviction of an offence for which the individual received an absolute or conditional discharge. However, only include traffic offences if they resulted in a ban from driving or involved driving without insurance. See also the guidance on <http://www.fca.org.uk/your-fca/documents/disclosing-convictions-in-form-a>.

Question 5.01.1b on Paper Form A/1.1.1b. (~~Question 5.01.1b on Paper Form A~~) in electronic version

Are you currently the subject of any criminal proceedings, whether in the UK or elsewhere?

No additional notes.

Question 5.01.1c on Paper Form A/1.1.1c. (~~Question 5.01.1c on Paper Form A~~) in electronic version

Have you ever been given a caution in relation to any criminal offence?

This question requires disclosure of any cautions in relation to any criminal offence, whenever they took place. Please note the following:

- protected cautions subject to the law of England & Wales do not need to be disclosed;
- spent alternatives to prosecution subject to the law of Scotland do not need to be disclosed; and
- ~~spent convictions subject to the law of NI should be disclosed.~~

Question 5.01.2 on Paper Form A/1.1.2 (~~Question 5.01.2 on Paper Form A~~) in electronic version

Have you had any convictions for any offences other than those described in Question 4.1.1 (5.01.1)(a) to (c) above (excluding traffic offences that did not result in a ban from driving or did not involve driving without insurance)?

No additional notes.

Question 5.01.03 on Paper Form A/1.1.3 (Question 5.01.3 on Paper Form A) in electronic version

~~Have you ever been arrested or charged with any criminal offence or been the subject of any criminal investigation? (You should include all matters even if the arrest, charge or investigation did not result in a conviction.)~~ Is the candidate the subject of any ongoing criminal investigation?

~~This question is broad in scope and requires disclosure of any criminal investigations relating to any type of criminal offence, any criminal proceedings whenever they took place and even if they did not result in a conviction. It also requires disclosure of any occasions when the Individual has been the subject of a search order or required to produce documents. No additional notes.~~

Question 5.01.4 on Paper Form A/1.1.4 (Question 5.01.4 on Paper Form A) in electronic version

Have you ever been ordered to produce documents pursuant to any ongoing criminal investigation or been the subject of a search (with or without a warrant)? Pursuant pursuant to any criminal investigation?

~~This question is broad in scope and requires disclosure of any criminal investigations relating to any type of criminal offence, any criminal proceedings whenever they took place and even if they did not result in a conviction. It also requires disclosure of any occasions when the Individual has been the subject of a search order or required to produce documents. In answering this question, you should include all matters even where the candidate was not the subject of the investigation.~~

Question 5.01.5 on Paper Form A/1.1.5 (Question 5.01.5 on Paper Form A) in electronic version

Has any firm at which you hold or have held a position of influence or ever:

- (a) been convicted of any criminal offence?**

No additional notes.

- (b) been summonsed, charged with or otherwise investigated or prosecuted for any criminal offence?**

No additional notes.

- (c) **been the subject of any criminal proceeding which has not resulted in a conviction?**

No additional notes.

- (d) **been ordered to produce documents in relation to any criminal investigation or been the subject of a search (with or without a warrant) in a relation to any criminal investigation?**

Please see the notes at the beginning of this section for the meaning of ‘position of influence’ in the context of the questions in this form.

You should include all matters arising during the individual’s association with that ~~firm~~ *firm* and for a period of one year after the individuals ceased to be associated with the ~~firm~~ *firm*. (You should include all matters even where the charge, prosecution or investigation has not resulted in a conviction and, in respect of ~~4.1.5d~~ Question 5.01.5(d), even where the ~~firm~~ *firm* itself was not the subject of the investigation. However, ~~firms~~ *firms* are not required to disclose details of any specific individuals who were subject to historic (as opposed to ongoing) criminal investigations, prosecutions, summons or other historic criminal proceedings.)

Civil Proceedings

Question 5.02.1 on Paper Form A/1.2.1 (~~Question 5.02.1 on Paper Form A~~) in electronic version

Have you ever been the subject of a judgement debt or award against you?

This requires disclosure of any types of civil orders made against the individual which have resulted in an order being made by the court for the individual to make a payment of money. This includes county court judgements and other judgement debts; any such orders should be included even where the individual has paid the money and satisfied the order. A county court judgement is an order issued by a county court saying a person must pay a sum of money.

Question 5.02.2 on Paper Form A/1.2.2 (~~Question 5.02.2 on Paper Form A~~) in electronic version

Have you ever been party to any civil proceedings which resulted in any order against you (other than a judgement debt or award referred to in ~~4.2.1~~ Question 5.02.1 above)? (You should include, for example, injunctions and employment tribunal proceedings.)

This question asks whether the individual has ever been a party to any other kind of civil dispute which did not result in the individual being required to make a payment of money.

This could include, for example, an injunction or an award in employment tribunal proceedings.

Question 5.02.3 on Paper Form A/1.2.3 (~~Question 5.02.3 of Paper Form A~~) in electronic version

Are you aware of:

- (a) Any proceedings that have begun, or anyone's intention to begin proceedings against you, for a CCJ or other judgment debt?

No additional notes.

- (b) More than one set of proceedings, or anyone's intention to begin more than one set of proceedings, that may lead to a CCJ or other judgment debt?

No additional notes.

- (c) Anybody's intention to claim more than £1,000 of CCJs or judgment debts in total from you?

This question requires disclosure of any civil proceedings that are ongoing (i.e. have been commenced but not yet concluded or have not yet resulted in a judgement debt or county court judgement) or are about to begin that the individual is aware of.

Question 5.02.4 on Paper Form A/1.2.4 (~~Question 5.02.4 of Paper Form A~~) in electronic version

Do you have any current judgment debts (including CCJs) made under a court order still outstanding, whether in full or in part?

No additional notes.

Question 5.02.5 on Paper Form A/1.2.5 (~~Question 5.02.5 of Paper Form A~~) in electronic version

Have you ever failed to satisfy any judgment debts (including CCJs) made under a court order still outstanding, whether in full or part, within one year of the order being made?

No additional notes.

Question 5.02.6 on Paper Form A/1.2.6 (~~Question 5.02.6 of Paper Form A~~) in electronic version

Have you ever:**(a) Filed for your own bankruptcy or had a bankruptcy petition served on you?**

This question covers all circumstances in which anyone started bankruptcy proceedings (or, in Scotland, called ‘sequestration’ of the individual’s estate) in relation to the individual. It also includes circumstances where the individual began such proceedings.

(b) Been adjudged bankrupt?

This question covers all circumstances in which anyone started bankruptcy proceedings (or, in Scotland, called ‘sequestration’ of the individual’s estate) in relation to the individual. It also includes circumstances where the individual began such proceedings.

(c) Been the subject of a bankruptcy restrictions order (including an interim bankruptcy restrictions order) or offered a bankruptcy restrictions undertaking?

This question covers all circumstances in which anyone started bankruptcy proceedings (or, in Scotland, called ‘sequestration’ of the individual’s estate) in relation to the individual. It also includes circumstances where the individual began such proceedings.

(d) Made any arrangements with your creditors, for example a deed of arrangement or an individual voluntary arrangement (or in Scotland a trust deed)?

This requires disclosure of any voluntary agreement which the individual has already entered into at any time with anyone to whom they owe money about the payment of a debt. This includes informal arrangements with creditors and the receipt of debt consolidation services. This could include where alternative mortgage arrangements have been made and also more formal arrangements such as an ‘individual voluntary arrangement’, whether or not these arrangements were entered into after advice from a debt management adviser.

(e) Had assets sequestrated?

No additional notes.

(f) Been involved in any proceedings relating to the above matters even if such proceedings did not result in the making of any kind of order against you or result in any kind of agreement with you?

It is irrelevant whether or not any of the matters in ~~4.2.6 a-e~~ Question 5.02.6(a) to (e) actually resulted in the making of an order; they must still be disclosed.

Question 5.02.7 on Paper Form A/1.2.7 (Question 5.02.7 of the Paper Form A) in electronic version

Do you, or any undertaking under your management, have any outstanding financial

obligations arising from regulated activities, which have been carried out in the past? (whether or not in the UK or overseas)?

This requires disclosure of any other historical financial matters which might impact upon the current financial circumstances of the individual. For example, claims for clawback being made by a former employer should be disclosed here.

Question 5.02.8 on Paper Form A/1.2.8 (~~Question 5.02.8 of the Paper Form A~~) in electronic version

Have you ever been adjudged by a court or tribunal (whether criminal, civil or administrative) for any fraud, misfeasance, negligence, wrongful trading or other misconduct?

No additional notes.

Question 5.02.9 on Paper Form A/1.2.9 (~~Question 5.02.9 of the Paper Form A~~) in electronic version

Are you currently:

- (a) Party to any civil proceedings? (Including those covered in Question 5.02.7 on Paper Form A.)**

No additional notes.

- (b) Aware of anybody's intention to begin civil proceedings against you? (You should include any ongoing disputes whether or not such dispute is likely to result in any order against you.)**

No additional notes.

Question 5.02.10 on Paper Form A/1.2.10 (~~Question 5.02.10 of the Paper Form A~~) in electronic version

Has any firm at which you hold or have held a position of influence ever been:

- (a) Adjudged by a court civilly liable for any fraud, misfeasance, wrongful trading or other misconduct?**

No additional notes.

- (b) The subject of a judgement debt or award against the firm? (You should include all CCJs) made against the firm, whether satisfied or not.**

No additional notes.

- (c) **Party to any other civil proceedings which resulted in an order against the firm other than in relation to matters covered in ~~1.2.10 a) and 1.2.10 b)~~ or Questions 5.02.10(a) and 5.02.10(b) in the on Paper Form A above?**

No additional notes.

Question 5.02.11 on Paper Form A/1.2.11 (~~Question 5.02.11 of the Paper Form A~~) in electronic version

Is any firm at which you currently hold or have held, within the last 12 months from the date of submission of this form, a position of influence currently:

- (a) **a party to civil proceedings?**

No additional notes.

- (b) **Aware of anyone's intention to begin civil proceedings against them?**

No additional notes.

Question 5.02.12 on Paper Form A/1.2.12 (~~Question 5.02.12 of the Paper Form A~~) in electronic version

Has any company, partnership, or unincorporated association of which you are or have been a controller, director, senior manager, partner or company secretary, in the United Kingdom or elsewhere, at any time during your involvement, or within one year of such an involvement, been put into liquidation, wound up, ceased trading, had a receiver or administrator appointed or entered into any voluntary arrangement with its creditors?

No additional notes.

Business and Employment Matters

These questions relate to roles the individual has previously performed, whether that role was related to the provision of a regulated activity or not. It should also be noted that these questions are not limited to only those previous roles listed in Employment History section of this form but to matters whenever they occurred at any time. Relevant disclosures are expected, even if the individual was not actually in receipt of a salary.

Question 5.03.1 on Paper Form A/1.3.1 (~~Question 5.03.1 of the Paper Form A~~) in electronic version

Have you ever been:

- (a) Disqualified from acting as a director or similar position (One where the candidate acts in a management capacity or conducts the affairs of any company, partnership or unincorporated association)?**

No additional notes.

- (b) The subject of any proceedings of a disciplinary nature (whether or not the proceedings resulted in any finding against you)?**

This question includes where the proceedings or internal investigations by a current or a previous employer have yet to be concluded.

- (c) The subject of any investigation which has led or might lead to disciplinary proceedings?**

This question includes where the proceedings or internal investigations by a current or a previous employer have yet to be concluded.

- (d) Notified of any potential proceedings of a disciplinary nature against you?**

No additional notes.

- (e) The subject of an investigation into allegations of misconduct or malpractice in connection with any business activity?**

No additional notes.

Note that, full details must be provided if there were any issues that could affect the fitness and propriety of the individual that arose when leaving an employer listed in the Employment History section.

Question 5.03.2 on Paper Form A/1.3.2 (Question 5.03.2 of the Paper Form A) in electronic version

Have you ever been refused entry to, or been dismissed, suspended or requested to resign from, any profession, vocation, office or employment, or from any fiduciary office or position of trust whether or not remunerated?

No additional notes.

Question 5.03.3 on Paper Form A/1.3.3 (Question 5.03.3 of the Paper Form A) in electronic version

Do you have any material written complaints made against you by your clients or former clients in the last five years which you have accepted, or which are awaiting determination, or have been upheld - by an ombudsman or complaints scheme?

No additional notes.

Regulatory Matters

Please see notes ~~on page 15~~ in the bullet list under the heading 'Paper Form A' earlier in this section for a meaning of regulatory body and authorisation.

These questions are not limited to activities regulated by the ~~FCA~~ FCA or PRA and are not limited to investigations by or matters involving a regulatory or industry body.

Where there is a reference to a regulatory body in the question, this should be interpreted widely and answers should include, for example, activities supervised by overseas financial regulators or other types of regulators such as government or statutory bodies, whether in the *UK* or overseas.

Question 5.04.1 on Paper Form A/1.4.1 (Question 5.04.1 of the Paper Form A) in electronic version

In relation to activities regulated by the FCA and/or PRA or any other regulatory body (see under 'Regulatory matters'; above), has:

The candidate, or

Any company, partnership or unincorporated associate of which the candidate is or has been a controller, director, senior manager, partner or company secretary, during the candidate's association with the entity and for a period of three years after the candidate ceased to be associated with it, ever -

- (a) Been refused, had revoked, restricted, been suspended from or terminated, any licence, authorisation, registration, notification, membership or any other permission granted by any such body?**

No additional notes.

- (b) Been criticised, censured, disciplined, suspended, expelled, fined, or been the subject of any other disciplinary or interventional action by any such body?**

No additional notes.

- (c) Received a warning (whether public or private) that such disciplinary or interventional action may be taken against the candidate or the firm?**

No additional notes.

- (d) Been the subject of an investigation by any regulatory body, whether or not such an investigation resulted in a finding against the candidate or the firm?**

This includes any type of investigation of which the individual has ever been or is currently the subject (other than a criminal investigation which is dealt with in earlier questions). Be aware that the individual will wish to consider whether they have ever been (or are presently) the subject of any kind of civil investigation. It could also

include an investigation by a former UK regulatory body or an investigation by the ~~FCA~~ FCA or PRA.

- (e) Been required or requested to produce documents or any other information to any regulatory body in connection with such an investigation (whether against the firm or otherwise)?**

No additional notes.

- (f) Been investigated or been involved in an investigation by an inspector appointed under companies or any other legislation, or required to produce documents to the secretary of state, or any other authority, under any such legislation?**

No additional notes.

- (g) Ceased operating or resigned whilst under investigation by any such body or been required to cease operating or resign by any regulatory body?**

No additional notes.

- (h) Decided, after making an application for any licence, authorisation, registration, notification, membership or any permission granted by any such body, not to proceed with it?**

No additional notes.

- (i) Been the subject of any civil action in relation to any regulated activity which has resulted in a finding by a court?**

No additional notes.

- (j) Provided payment services or distributed or redeemed e-money on behalf of a regulated firm or itself under any contractual agreement where that agreement was terminated by the regulated firm?**

No additional notes.

- (k) Been convicted of any criminal offence, censured, disciplined, or publicly criticised, by any inquiry, by the Takeover Panel or any governmental or statutory authority or any other regulatory body (other than as indicated in this group of questions)?**

No additional notes.

Question 5.04.2 on Paper Form A/1.4.2 (Question 5.04.2 in the Paper Form A) in electronic version

In relation to activities regulated by the FCA/PRA or any other regulatory body, have you or any firm at which you hold or have held a position of influence at any time during and within one year of your association with the firm ever:

- (a) **Been found to have carried on activities for which authorisation or registration by the FCA/PRA or any other regulatory body is required without the requisite authorisation?**
- (b) **Been investigated for the possible carrying on of activities requiring authorisation or registration by the FCA/PRA or any other regulatory body without the requisite authorisation whether or not such investigation resulted in a finding against you?**
- (c) **Been found to have performed a controlled function (or an equivalent function requiring approval by the FCA/PRA or any other regulatory body) without the requisite approval?**
- (d) **Been investigated for the possible performance of a controlled function (or an equivalent function requiring approval by the FCA/PRA or any other regulatory body) without the requisite approval, whether or not such investigation resulted in a finding against you?**
- (e) **Been found to have failed to comply with an obligation under the Electronic Money Regulations 2011 or Payment Services Regulations 2009 to notify the FCA/PRA of the identity of a person acting in a position of influence over its electronic money or payment services business?**
- (f) **Been the subject of disqualification direction under section 59 of the Financial Services Act 1986 or a prohibition order under section 56 of FSMA, or received a warning notice proposing that such a direction or order be made, or received a private warning?**

These questions relate to the performance of activities by ~~firms~~ *firms* or individuals without the appropriate licence or approval etc. These questions require the PSD individual or applicant ~~firms~~ *firms* to carefully consider what matters might be relevant and, where necessary, to find out the necessary information before submitting the form.

Other Matters

Question 5.05.1 on Paper Form A/1.5.1 (~~Question 5.05.1 in the Paper Form A~~) in electronic version

Are you, in the role to which the application relates, aware of any business interests, employment obligations, or any other circumstance which may conflict with the performance of the controlled functions for which approval is now being sought/in the respect of your control of the firm/with your role as controller of the applicant firm or your position at the controller?

No additional notes.

Question 5.05.2 on Paper Form A/1.5.2 (Question 5.05.2 in the Paper Form A) in electronic version

Are you aware of any other information relevant to this notification that we might reasonably expect you to give? Does the candidate have, or know of, any:

- (a) **Qualifying ownership or any other form of substantial influence in the firm or group, or any other companies? If yes, please provide:**
- (1) **Company name and registration number**
 - (2) **Nature and scope of the operations**
 - (3) **The registered office of the company**
 - (4) **Possession in percentage**
- (b) **Close relatives with ownership shares in the firm or group?**
- (c) **Close relatives with any other financial relations in the firm or group?**
- (d) **Any other commitments that may give rise to a conflict of interest?**

No additional notes. For Solvency II and large NDF firms only. Candidates for CF30 only, are not required to answer this question.

As defined in article 13(21) of the *Solvency II Directive*, qualifying ownership is ‘direct or indirect holding in an undertaking which represent 10% or more of the capital or of the voting rights or which makes it possible to exercise a significant influence over the management of that undertaking’.

Question 5.05.2 (or 5.05.3 where applicable) on Paper Form A/1.5.2 (or 1.5.3 where applicable) in electronic version

Are you aware of any other information relevant to this notification that we might reasonably expect you to give?

No additional notes.

Question 5.05.3 (or 5.05.4 where applicable) on Paper Form A/1.5.3 (or 1.5.4 where applicable) in electronic version

Has the firm undertaken a criminal records check in accordance with the requirements of the FCA or PRA?

Please note that a firm is required to request the fullest information that it is lawfully able to obtain about the candidate under Part V of the Police Act 1997 (Certificates of Criminal records, etc.) and related subordinated legislation of the UK or any part of the UK before making the application. (SUP 10C.10.16R in the FCA Handbook and PRA

Rulebook: Fitness and Propriety or Insurance – Fitness and Propriety)

No additional notes.

Question 5.05.4 (or 5.05.5 where applicable) on Paper Form A/1.5.4 (or 1.5.5 where applicable) in electronic version**Has/Have a reference or references been obtained from previous employer(s) in accordance with the requirements of the FCA or PRA?****If No, please provide details why the reference or references has/have not been obtained.**

Please see PS16/22 ‘Strengthening accountability in banking and insurance: regulatory references final rules’ for further guidance at <https://www.fca.org.uk/sites/default/files/ps16-22.pdf>.

Supporting Documents

If you are using the paper forms, this section contains the notes you will need for Section 6 – Supplementary information.

If you are completing a Paper Form A please refer to ~~3rd paragraph in this section~~ ‘Supplementary Information (Paper Form A)’ below

Documents (Connect)

Please include any other documents you want to provide

This section provides the opportunity for any additional documents to be included.

For more information on the factors which the ~~FCA~~ FCA and/or ~~PRA~~ PRA may take into account when considering application, please refer to ~~FIT~~ FIT in the ~~Handbook~~ FCA Handbook and/or SS28/15 for deposit takers, and SS35/15 for insurers, as appropriate (published on the PRA website).

Other Information (Connect)

If there is anything else the applicant would like to tell us about this application please give details below

This section provides the opportunity for any additional information to be included.

For more information on the factors which the ~~FCA~~ FCA and/or ~~PRA~~ PRA may take into

account when considering application, please refer to *FIT* in the ~~Handbook~~ *FCA Handbook* and/or SS28/15 for deposit takers, and SS35/15 for insurers, as appropriate (published on the *PRA website*).

Supplementary Information (Paper Form A)

This section provides space for additional information. It should be used to disclose additional information about “yes” answers in section 5 of the full Form A and any information which is not the subject of a specific question in section 5, but might be relevant to the consideration of fitness and propriety, including in relation to the reasons for leaving the ~~firms~~ *firms* listed in section 4. For more information on the factors which the ~~FCA~~ *FCA* and/or ~~PRA~~ *PRA* may take into account when considering applications, please refer to ~~FIT~~ *FIT* in the ~~Handbook~~ *FCA Handbook* and/or SS28/15 for deposit takers and SS35/15 for insurers, as appropriate (published on the *PRA website*).

List here all directorships currently held or previously held in the past ten years by the candidate.

Supporting documentation must also be provided, such as evidence of the settlements of CCJs.

Individual Declaration

If you are using the paper forms, this section contains the notes you will need for Section 7 – Declarations and signatures.

It is a criminal offence under section 398 of the ~~Financial Services and Markets Act 2000~~ *FSMA* to knowingly or recklessly provide the FCA and/or PRA with false or misleading information.

If you are completing a Paper Form A please ~~see 2nd paragraph in this section~~ refer to ‘Declarations and Signatures (Paper forms)’ below

Declaration and Signatures (Connect)

This section must be completed by the sole trader responsible for making the application.

The signature boxes are for you to use when you print out the application for your records.

A permanent copy of the application should be signed by the individual and the applicant and be retained for an appropriate period of time, for inspection at the ~~FCA’s/PRA’s~~ *FCA’s/PRA’s* request.

Declarations and Signatures (Paper Forms)

This section contains declarations which must be signed by both an appropriate individual for the ~~firm~~ *firm* or applicant submitting the application and the candidate. Signatures MUST NOT be dated more than three months prior to the date of submission of the application. The ~~FCA~~ *FCA* and/or ~~PRA~~ *PRA* considers that an appropriate individual would either be an individual approved [to perform a SIF, SMF or a ~~PRA-controlled function~~ *PRA controlled function*] or someone to whom the ~~firm~~ *firm* has delegated the authority to notify the ~~FCA~~ *FCA* and/or ~~PRA~~ *PRA*. The candidate should not sign the declaration on behalf of the ~~firm~~ *firm* unless they are a sole trader or the sole director in a limited company. If this authority has been delegated, the ~~firm~~ *firm* should keep records of those individuals authorised to sign on behalf of the ~~firm~~ *firm*. All signatures submitted on forms should be originals.

It is a criminal offence under section 398 of the ~~Financial Services and Markets Act 2000~~ to *FSMA* knowingly or recklessly provide the ~~FCA~~ *FCA* and/or ~~PRA~~ *PRA* with false or misleading information.

Incoming EEA firms undertaking non-~~MFID~~ *MiFID* business must confirm by using the tick box that the candidate is competent to perform the controlled function(s) for which this application is made.

10A **Form E: Internal transfer of an approved person** Annex 8D

This annex consists only of one or more forms. Note that there are separate forms for *Solvency II firms, large and small non-directive insurers, and other firms*. *Swiss general insurers* must use the form for *large non-directive insurers* not the form for *Solvency II firms*. It also includes the scope of responsibilities form which must be included as an attachment to Form E in certain cases. Forms are to be found through the following address: Supervision forms – *SUP 10A Annex 8*

...

Form E for firms which are not Solvency II firms (including large non-directive insurers) or small non-directive insurers (and are not Relevant Authorised persons)

Guidance notes: Internal transfer of an approved person

[*Editor's note*: The Notes for completion of Form E (Internal transfer of an approved person) are deleted in their entirety and restated as follows. All the text is new and is not underlined.]

PLEASE NOTE: A *CANDIDATE* MUST NOT BEGIN PERFORMING ANY *CONTROLLED FUNCTIONS* UNTIL THE *FCA* AND/OR *PRA* HAS GRANTED APPROVAL.

Full details of the *approved persons* regime including the Senior Managers Regime and the Senior Insurance Managers Regime can be found in *SUP 10A* and *SUP 10C* of the *FCA Handbook* and the Parts relating to the Senior Managers Regime and Senior Insurance Managers Regime in the *PRA Rulebook* (these include the Insurance – Senior Insurance Management Functions, Insurance – Fitness and Propriety, Insurance – Allocation of Responsibilities and Insurance – Conduct Standards parts of the *PRA Rulebook*). *Firms* should also refer for further information to the *PRA* supervisory statements - SS 28/15 for deposit takers, and SS 35/15 for insurers.

The purpose of this Form

This is Form E referred to in:

- *SUP 10A* and *SUP 10C* in the *FCA Handbook*;
- the Senior Managers Regime – Applications and Notifications Part of the *PRA Rulebook*; and
- the relevant “Senior Insurance Managers Regime – Applications and Notifications” Parts in the “Solvency II firms” and “Non-Solvency II Firms” sectors of the *PRA Rulebook*.

A *firm* should use Form E when an *approved person* ceases to perform one or more *controlled functions* and the *firm* wishes to apply for approval for the individual in respect of other *controlled functions*. Form E should not be used for a qualified withdrawal (see *SUP 10A.14.10R* and *SUP 10C.14.7R* in the *FCA Handbook*, Chapter 5 of Senior Management Regime – Applications and Notifications and Chapter 4.2 of Solvency II firms: Senior Insurance Managers Regime – Applications and Notifications in the *PRA Rulebook*). Form E may also be used for transfers between *firms* that are part of the same *group*:

Form E should not be used in the circumstances set out in *SUP 10A.14.4D(2)-(3)* or *SUP 10C.10.9D(2)-(4)* of the *FCA Handbook*; or Senior Managers Regime – Applications and Notifications 2.4 & 2.5 or Senior Insurance Managers Regime - Applications and Notifications 2.4 & 2.5 of the *PRA Rulebook*.

Form C must be used if the individual is ceasing to perform a *controlled function* and the *firm* is not seeking approval in respect of another *controlled function*.

Form A must be completed in full if the *approved person* is seeking approval in respect of a *controlled function* including a *senior management function* or senior insurance management function for the first time.

Completing this Form

If in manuscript, Form E must be completed in black ink and in BLOCK LETTERS.

All dates should be provided in numeric form (e.g. 29/02/2000 for 29 February 2000).

Indicate clearly if a question is not applicable. Tick the appropriate box where a yes/no answer is required. Further details should be given in section 5 (Supplementary Information) if there is insufficient space for a detailed answer.

Additional information can be attached to the Form. It must be securely attached to the rest of

the Form and you must indicate at question 5.02 the number of additional sheets attached.

Do not assume that information is known to the *FCA* and/or *PRA* merely because it is in the public domain, or has been previously disclosed to the *FCA* and/or *PRA* or to another regulatory body. In all circumstances, disclosures should be full, frank and unambiguous. The information supplied by the *candidate* should be verified by the *firm* wherever possible. Should the *FCA* and/or *PRA* vetting checks reveal any matters that have not been disclosed, then applications will be delayed and, in some cases, possibly rejected. See *SUP* 10A.13.12G and *SUP* 10C.10.30G of the *FCA Handbook*.

Expressions in Form E in italics have the meaning given in the *Glossary* to the *FCA Handbook* (or, if no meaning is given there, the expressions are to be interpreted in accordance with the related expression defined in the *Glossary*).

The *firm* is responsible for the completion of Form E. If Form E is not fully and correctly completed, the *FCA* and/or *PRA* may need to return it for proper completion. This could significantly delay the *FCA* and/or *PRA*'s decision on whether to grant approval to perform the requested *controlled functions* (see *SUP* 10A.13.12G and *SUP* 10C.10.30G of the *FCA Handbook*).

The *FCA* and/or *PRA* may require the applicant to provide further information at any time after receiving an application and before determining whether it is to be granted or not (see *SUP* 10A.13.14G, *SUP* 10B.11.13G and *SUP* 10C.10.28G in the *FCA Handbook*).

If a *firm* has provided, or has information that reasonably suggests that it may have provided, the *FCA* and/or *PRA* with information which was or has become false, misleading, incomplete or inaccurate, in a material particular, it must notify the *FCA* and/or *PRA* immediately (see *SUP* 15.6.4R in the *FCA Handbook*, Notification 6 in the *PRA Rulebook* and the equivalent Parts in the “Solvency II firms” and “Non-Solvency II Firms” sectors of the *PRA Rulebook*). Failure to notify the *FCA* and/or *PRA* may result in a delay in processing or rejection.

SECTION 4 – ARRANGEMENTS AND CONTROLLED FUNCTIONS

The *firm* must tick the box in 4.01 that most accurately describes its *arrangement* with the *candidate*. For applications from a single *firm*, the *firm* should complete 4.02, 4.03 & 4.04 indicating the *controlled functions* required by selecting the appropriate box in 4.02. However, if the application is being made on behalf of a candidate who will carry out *controlled functions* for more than one *firm*, 4.05 must be used to describe the *controlled functions* and the relationships between the *candidate* and those *firms*. For *senior management functions*, *firms* should use 4.04 in the relevant Form E.

- 4.01 If this application relates to more than one *appointed representative*, provide details in section 5.
- 4.02 If the *controlled function* 28 or 29 is requested, the specific job title of the candidate should be included.
- 4.03 The effective date is the date on which the *firm* wishes the *candidate* to begin performing *controlled functions* (subject to approval). This should be left blank unless there is a reason for the effective date to be beyond the *FCA* and/or *PRA* published standard response times. For instance, a *firm* may wish to be sure that a

candidate has been approved before they take up their post.

4.04 Insurance mediation

This is not a *controlled function* in its own right. However, every *firm* that carries on *insurance mediation activities* must appoint an *approved person(s)* who will be responsible for *insurance mediation activities* at the *firm* (as detailed at MIPRU 2.2)

This responsibility must be allocated to a member of the *governing body* of the *firm* or in certain circumstances, a *senior manager*. (i.e. an individual that is applying for approval as CF1, 3-8 or 29).

Where a *firm* has appointed an *appointed representative* to carry on *insurance mediation activity* on its behalf, the *person* responsible for the *firm's insurance mediation activity* will also be responsible for the *insurance mediation activity* carried on by an *appointed representative*.

Unless the *firm* indicates otherwise, the *FCA* and/or *PRA* assumes that the *arrangement* given on the application form includes all of the activities that fall within the description of the *controlled function*. This means that a *firm* may alter a *candidate's* responsibilities within the broad description of a *controlled function* without needing further approval from the *FCA* and/or *PRA*. However, they will be required to record this change on the scope/statement of responsibilities record (where applicable) that is maintained by the *firm* for each individual performing a *controlled function*.

SECTION 5 – SUPPLEMENTARY INFORMATION

This section provides extra space for any previous answer and for additional information relevant to this application.

The *firm* must include details of any other matter which the *firm* is aware of and which in its reasonable opinion is relevant in connection with the *approved person* ceasing to perform their *controlled function*. If there is insufficient space, additional sheets may be used.

SECTION 6 – DECLARATIONS AND SIGNATURES

This section contains declarations which must be signed by both an appropriate individual for the *firm* or applicant submitting the application and the *candidate*. The *FCA* and/or *PRA* considers that an appropriate individual would either be an individual approved [to perform a SIF, SMF or a PRA controlled function] or someone to whom the *firm* has delegated the authority to notify the *FCA* and/or *PRA*. If this authority has been delegated, the *firm* should keep records of those individuals authorised to sign on behalf of the *firm*.

N.B. Please keep these notes before returning the completed Form to the *FCA* and/or *PRA*.

If you have any questions or need additional information, please contact the *FCA* Customer Contact Centre on 0300 500 0597 or *PRA* Firm Enquiries on 020 3461 7000 or e-mail iva@fca.org.uk or PRA.firmenquiries@bankofengland.co.uk.

PLEASE RETURN THE COMPLETED FORM TO:

Financial Conduct Authority

Prudential Regulation Authority

25 The North Colonnade
 Canary Wharf
 London E14 5HS
 United Kingdom

20 Moorgate
 London
 EC2R 6DA
 United Kingdom

...

10C Annex 2D Form A: Application to perform senior management functions

...

Long Form A (EEA Relevant Authorised Persons only)

[Note: See SUP 10A Annex 4D for the full Form A guidelines]

...

11 Controllers and close links

...

11.8 Changes in the circumstances of existing controllers

...

11.8.6 G The *appropriate regulator* may ask the *firm* for additional information following a notification under SUP 11.8.1R in order to satisfy itself that the *controller* continues to be suitable (see SUP 2: Information gathering by the ~~appropriate regulator~~ FCA or PRA on its own initiative).

...

13A Annex 1G Application of the Handbook to Incoming EEA Firms

...

(1) Module of the Handbook	(2) Potential application to an incoming EEA firm with respect to activities carried on from an establishment of the firm (or its appointed representative) in the United Kingdom	(3) Potential application to an incoming EEA firm with respect to activities carried on other than from an establishment of the firm (or
-----------------------------------	--	---

		its appointed representative) in the United Kingdom
...
<i>SUP</i>
	SUP 2 (Information gathering by the {FCA & or PRA} on its own initiative) ...	SUP 2 (Information gathering by the {FCA & or PRA} on its own initiative) ...
...

...

15.3 General notification requirements

...

Civil, criminal or disciplinary proceedings against a firm

15.3.15 R A *firm* must notify the *FCA* immediately if:

...

- (2) any action is brought against the *firm* under section 71 of the *Act* (Actions for damages) or section ~~450~~ 138D (Actions for damages) ; or

...

...

16.2 Purpose

16.2.1 G ...

- (2) *Principle 11* requires a *firm* to deal with its regulators in an open and cooperative way, and to disclose to the *FCA* appropriately anything relating to the *firm* of which the *FCA* would reasonably expect notice. The reporting requirements are part of the *FCA* approach to amplifying *Principle 11* by setting out in more detail the information that the *FCA* requires. They supplement the provisions of *SUP 2* (Information gathering by the ~~appropriate regulator~~ FCA or PRA on its own initiative) and *SUP 15* (Notifications to the *FCA*). The reports required under these *rules* help the *FCA* to monitor *firms*' compliance with *Principles* governing relationships between *firms* and their

customers, with Principle 4, which requires firms to maintain adequate financial resources, and with other requirements and standards under the regulatory system.

...

Annex E

Amendments to the Dispute Resolution: Complaints sourcebook (DISP)

This Annex comes into force on 29 August 2017.

In this Annex, underlining indicates new text and striking through indicates deleted text.

App 3.7A Approach to redress at step 2

...

Redress for regular premium payment protection contracts

App
3.7A.3AE In relation to a regular premium *payment protection contract*, the *firm* should pay to the complainant in respect of each redress period a sum equal to:

...

- (3) 50% of ~~that~~ the amount appropriately representing the total amount paid in respect of that period (or other percentage as in *DISP* App 3.7A.4E).

A *firm* should pay the aggregate of those sums and also pay historic interest in relation to each of those sums, where relevant. It should also pay simple interest, where relevant.

...

Annex F

Amendments to Collective Investment Schemes sourcebook (COLL)

In this Annex, underlining indicates new text.

6 Operating duties and responsibilities

...

6.6B UCITS depositaries

...

Provision of information

- 6.6B.29 G The requirements of *SUP 2* (Information gathering by the ~~FCA~~ FCA or PRA on its own initiative) apply to the *depositary*, under which it must enable the *FCA* to obtain, on request, all information that the *depositary* has obtained while discharging its duties and that the *FCA* considers necessary.

[**Note:** article 99d(5) of the *UCITS Directive*]

...

Annex G

Amendments to the Consumer Credit sourcebook (CONC)

In this Annex, underlining indicates new text and striking through indicates deleted text.

TP 7 Transitional provision in relation to the Consumer Credit (Amendment No 2) Instrument 2015

(1)	(2) Material to which the transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision: dates in force	(6) Handbook provision: coming into force
7.1	<i>CONC</i>	R	The Consumer Credit (Amendment No. 2) Instrument 2015 does not have effect in relation to credit agreements secured on land, or to credit broking in relation to such agreements, except in so far as it amends <i>CONC</i> 3.6. <u>[expired]</u>	From 28 September 2015 to 21 March 2016	28 September 2015

Annex H

Amendments to the Investment Funds sourcebook (FUND)

In this Annex, underlining indicates new text.

3 Requirements for alternative investment fund managers

...

3.11 Depositaries

...

Provision of information

- 3.11.32 G The requirements of *SUP 2* (Information gathering by the FCA or PRA on its own initiative) apply to the *depositary*, under which it must enable the *FCA* to obtain, on request, all information that the *depositary* has obtained while discharging its duties and that the *FCA* considers necessary.

[**Note:** article 21(16) of *AIFMD*]

...