

**FEES (OFFICE FOR PROFESSIONAL BODY ANTI-MONEY LAUNDERING
SUPERVISION) INSTRUMENT 2019**

Powers exercised

- A. The Financial Conduct Authority makes this instrument in the exercise of:
- (1) the power under regulation 27 (costs of supervision) of the Oversight of Professional Body Anti-Money Laundering and Counter Terrorist Financing Supervision Regulations 2017;
 - (2) the power under regulation 102 of the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017; and
 - (3) the power in section 139A of the Financial Services and Markets Act 2000.

Commencement

- B. This instrument comes into force on 14 March 2019.

Amendments to the Handbook

- C. The Fees manual (FEES) is amended in accordance with the Annex to this instrument.

Notes

- D. In the Annex to this instrument, a note (indicated by “**Note:**”) after a provision indicates, for the convenience of readers, that it is a provision made pursuant to:
- (1) regulation 27 of the Oversight of Professional Body Anti-Money Laundering and Counter Terrorist Financing Regulations 2017; or
 - (2) regulation 102 of the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017.

Citation

- E. This instrument may be cited as the Fees (Office for Professional Body Anti-Money Laundering Supervision) Instrument 2019.

By order of the Board
28 February 2019

Annex

Amendments to the Fees manual (FEES)

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

App 2 **Office for ~~professional body anti-money laundering supervision~~
Professional Body Anti-money laundering Supervision fees**

App 2.1 **Introduction**

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Glossary of definitions

App 2.1.6 In this Appendix and in FEES TP 19A, an expression in bold (other than in headings and titles) has the meaning given in *FEES* Appendix 2 Annex 3G.

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App 2.3 **Periodic fees imposed under Regulation 27 of the OPBAS Regulations**

...

Information on which fees are calculated

App 2.3.8 A **professional body supervisor** must send to the **FCA** the information required under Part 1 of *FEES* Appendix 2 Annex 2, ~~(as at the date specified in Part 2 of *FEES* Appendix 2 Annex 2)~~ on which the periodic fee payable by the **professional body supervisor** is to be calculated.

[**Note:** Regulation 27 of the **OPBAS Regulations**]

App 2.3.9 A **professional body supervisor** must send to the **FCA** in writing the information required under *FEES* App 2.3.8 ~~as soon as reasonably practicable after the date specified as the review date in *FEES* Appendix 2 Annex 2, and in any event within two months of that date~~ on or before 31 October preceding the relevant fee year.

[**Note:** Regulation 27 of the **OPBAS Regulations**]

App 2.3.10 If a **professional body supervisor** fails to send to the **FCA** the information required under *FEES* App 2.3.8 ~~within two months of the review date specified in *FEES* Appendix 2 Annex 2~~ by the date specified in *FEES* Appendix 2.3.9, the **FCA** may use the information provided by the **professional body supervisor** under Regulation 51 and Schedule 4 to the **MLR** or Regulation 7 27 of the **OPBAS Regulations** as the basis for calculating fees payable by the **professional body supervisor**.

[**Note:** Regulation 27 of the **OPBAS Regulations**]

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App 2 **Periodic fees imposed under Regulation 27 of the OPBAS Regulations for**
Annex 2 **the period 1 April 2019 to 31 March 2020 : tariff base, review date, tariff**
rates

...

Part 2

<p>This table sets out the review date for a professional body supervisor’s fees. A professional body supervisor is required to send to the FCA the information in Part 1 of this Annex as at the review date set out below, as soon as reasonably practicable, and in any event within two months of <u>by the date shown in this table <i>FEES</i> App 2.3.9 and/or any relevant transitional provision.</u></p>	
<p>D.2 Professional body supervisors</p>	<p>The <u>most recent</u> number of supervised individuals (calculated in accordance with Part 1) as at [tbc] <u>during the twelve months ending 5 April</u> before the relevant fee year.</p>

Part 3

This table sets out the tariff rates applicable to **professional body supervisors**.

Fee payable in relation to 2018/2019	Amount payable (£)
<p>Minimum fee, payable by all professional body supervisors subject to the OPBAS Regulations.</p>	<p>£5,000</p>
<p>Variable fee, payable by professional body</p>	<p>£[tbc] multiplied by the total number of supervised individuals in excess of the threshold of 6,000.</p>

<p>supervisors where the number of supervised individuals is 6,000 or more.</p>	<p>[See Note]</p>
<p>[Note: references reference to “the number of supervised individuals” is to those supervised individuals calculated in accordance with Part 1.]</p>	

After FEES TP 19 (Transitional provisions relating to statements provided by participant firms before 1 April 2019 with respect to the FSCS 2019/20 financial year) insert the following new TP 19A. The text is not underlined.

TP 19A Transitional provisions relating to the payment of fees in 2019/20, taking effect on 14 March 2019

These transitional provisions will apply to **professional body supervisors** only for the 2019/2020 **fee year**.

(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
19A.1	FEES App 2.3.9	R	The fees payable for the 2019/2020 fee year, will be calculated based on the data submitted by a professional body supervisor for the 2018/2019 fee year.	From 14 March 2019	14 March 2019