

**DECISION PROCEDURE AND PENALTIES MANUAL (OFFICE FOR
PROFESSIONAL BODY ANTI-MONEY LAUNDERING SUPERVISION)
REGULATIONS INSTRUMENT 2020**

Powers exercised

- A. The Financial Conduct Authority (“the FCA”) makes this instrument in the exercise of the following power in the Financial Services and Markets Act 2000 (“the Act”) and related provision:
- (1) section 395 (The Authority’s procedures); and
 - (2) regulation 19 (procedure for disciplinary measures) of the OPBAS Regulations.

Commencement

- B. This instrument comes into force on 1 October 2020.

Amendments to the Handbook

- C. The Glossary of definitions is amended in accordance with Annex A to this instrument.
- D. The Decision Procedure and Penalties manual (DEPP) is amended in accordance with Annex B to this instrument.

Citation

- E. This instrument may be cited as the Decision Procedure and Penalties Manual (Office for Professional Body Anti-Money Laundering Supervision) Regulations Instrument 2020.

By order of the Board
30 September 2020

Annex A**Amendments to the Glossary of definitions**

Insert the following new definitions in the appropriate alphabetical position. The text is not underlined.

| | |
|-------------------------------------|---|
| <i>OPBAS Regulations</i> | the Oversight of Professional Body Anti-Money Laundering and Counter Terrorist Financing Supervision Regulations 2017 (SI 2017/1301). |
| <i>self-regulatory organisation</i> | one of the professional bodies listed in Schedule 1 to the <i>Money Laundering Regulations</i> . |

Annex B

Amendments to the Decision Procedure and Penalties manual (DEPP)

In this Annex, underlining indicates new text.

2 Statutory notices and the allocation of decision making

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2 Annex 1 Warning notices and decision notices under the Act and certain other enactments

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| Proxy Advisors (Shareholders' Rights) Regulations | Description | Handbook reference | Decision maker |
|--|---|----------------------------------|--|
| ... | | | |
| <u>OPBAS Regulations</u> | <u>Description</u> | <u>Handbook reference</u> | <u>Decision maker</u> |
| <u>Regulation 16</u> | when the <i>FCA</i> is <u>proposing or deciding to publish a statement censuring a self-regulatory organisation</u> | | <u>RDC</u> |
| <u>Regulation 17</u> | when the <i>FCA</i> is <u>proposing to make a recommendation to the Treasury that a self-regulatory organisation is removed from Schedule 1 to the Money Laundering Regulations</u> | | <u>RDC</u> |
| <u>Regulation 17</u> | when the <i>FCA</i> is <u>deciding to recommend to the</u> | | <u>Executive procedures where no representations</u> |

| | | | |
|--|---|--|--|
| | <p><u>Treasury that a self-regulatory organisation is removed from Schedule 1 to the Money Laundering Regulations</u></p> | | <p><u>are made in response to a warning notice, otherwise by the RDC</u></p> |
|--|---|--|--|