

HANDBOOK ADMINISTRATION (No 55) INSTRUMENT 2021**Powers exercised**

- A. The Financial Conduct Authority (“the FCA”) makes this instrument in the exercise of:
- (1) the following powers and related provisions in the Financial Services and Markets Act 2000 (“the Act”):
 - (a) section 137A (General rule-making power);
 - (b) section 137T (General supplementary powers); and
 - (c) section 139A (Power of the FCA to give guidance);
 - (2) the powers and related provisions in Regulation 18 (Notification Requirements) of the Regulated Covered Bond Regulations 2008 (SI 2008/346).
 - (3) the following provisions of the Electronic Money Regulations 2011 (SI 2011/99)
 - (a) regulation 49 (Reporting Requirements); and
 - (b) regulation 60 (Guidance).
- B. The rule-making powers listed above are specified for the purpose of section 138G(2) (Rule-making instruments) of the Act.

Commencement

- C. This instrument comes into force on 26 February 2021.

Amendments to the Handbook

- D. The modules of the FCA’s 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)
Conduct of Business sourcebook (COBS)	Annex A
Client Assets sourcebook (CASS)	Annex B
Supervision manual (SUP)	Annex C
Regulated Covered Bonds sourcebook (RCB)	Annex D

Citation

- E. This instrument may be cited as the Handbook Administration (No 55) Instrument 2021.

By order of the Board
25 February 2021

Annex A

Amendments to the Conduct of Business sourcebook (COBS)

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

TP 2 Other Transitional Provisions

(1)	(2)	(3)	(4)	(5)	(6)
	Material to which the transitional provision applies		Transitional provision	Transitional provision: dates in force	Handbook provisions: coming into force
...					
2.8G	<i>COBS</i> 19.10.30R(2)(b) and 19.10.34R	R	An operator of a personal pension scheme or stakeholder pension scheme must, within 6 months of 1 August 2020 <u>February 2021</u> , identify which of its non-advised <i>retail clients</i> have more than 50% of their drawdown fund invested in cash-like investments (subject to <i>COBS</i> 19.10.32R) and provide those <i>retail clients</i> with a cash warning.	1 August 2020 <u>26 February 2021</u> to 1 February <u>August</u> 2021	1 August 2020 <u>February</u> <u>2021</u>
2.8H	<i>COBS</i> 19.10.43R	R	An operator of a personal pension scheme or stakeholder pension scheme must, within 6 months of 1 August 2020 <u>February 2021</u> , identify which of its <i>retail clients</i> have value remaining in an expired fixed term product, such that <i>COBS</i> 19.10.43R applies, and provide those <i>retail clients</i> with warnings as set out in that rule.	1 August 2020 <u>26 February 2021</u> to 1 February <u>August</u> 2021	1 August 2020 <u>February</u> <u>2021</u>

2.8I	COBS 19.10.47G(13)	G	A <i>firm</i> to which TP 2.8GR applies should maintain a record of the number of <i>retail clients</i> provided with a cash warning in accordance with COBS TP 2.8GR.	1 August 2020 <u>26 February 2021</u> to 1 February <u>August</u> 2021	1 August 2020 <u>February</u> <u>2021</u>
2.8J	COBS 19.10.47G(17) and (18)	G	A <i>firm</i> to which TP 2.8HR applies should maintain a record of the number of <i>retail clients</i> provided with a warning in accordance with COBS TP 2.8HR.	1 August 2020 <u>26 February 2021</u> to 1 February <u>August</u> 2021	1 August 2020 <u>February</u> <u>2021</u>
...					

Annex B

Amendments to the Client Assets sourcebook (CASS)

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

14 Temporary permissions regime – client assets rules

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14.3 Temporary Permission Client Assets Return

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14.3.4 R The *TPCAR* submission deadlines for the purposes of *CASS* 14.3.1R are:

- (1) for *TP firms* to which either or both of *CASS* 6 and *CASS* 7 applies as a result of *GEN* 2.2.26R, either:
 - (a) for *CASS small TP firms* the 15th *business day* of the *month* that follows the reporting period specified in *CASS* 14.3.3R(1)(a); or
 - (b) for *CASS medium TP firms* and *CASS large TP firms*, the 15th *business day* of the *month* that follows the reporting period specified in *CASS* 14.3.3R(~~2~~) (1)(b); and
- (2) for *TP firms* to which *CASS* 5 applies as a result of *GEN* 2.2.26R, the 30th *business day* after the relevant reporting period specified in *CASS* 14.3.3R(~~3~~) (2).

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Annex C

Amendments to the Supervision manual (SUP)

In this Annex, striking through indicates deleted text.

16 Reporting requirements

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16 Annex 42BG Guidance notes for completion of the Annual Financial Crime Report

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Section 1: Operating jurisdictions		
Please list:		
3A	The jurisdictions within which the <i>firm</i> operates as at the end of the reporting period.	<p>Input the country codes (in ISO 3166 format) of the jurisdictions within which the <i>firm</i> is operating as at the end of the reporting period.</p> <p>Only those jurisdictions active as at the end of the reporting period should be reported; if a <i>firm</i> terminated operations within a jurisdiction during the reporting period, this jurisdiction does not need to be reported.</p> <p>‘Operates’ for the purposes of this form is defined as where the <i>firm</i> carries on its business or has a physical presence through a legal entity.</p> <p>For avoidance of doubt, this definition includes those jurisdictions in which the <i>firm</i> has representative offices. It also includes any jurisdictions where the firm carries on business using a services passport or an establishment passport.</p> <p>...</p>

Annex D

Amendments to the Regulated Covered Bonds sourcebook (RCB)

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

3 **Notifications**

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3.2 **Annual confirmations of compliance and asset pool monitor**

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- 3.2.5 D (1) The first confirmation date in relation to the annual confirmation must be the earlier of any date the *issuer* selects, or the date *12 months* from the *registration date*.
- (2) Subsequent confirmations must be made ~~on the anniversary of the first confirmation date;~~
- (a) on the anniversary of the first confirmation date, or
- (b) on a later date, where agreed by the FCA before that date.

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3 Annex **Cancellation form** 6D

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Cover Pool Details

Current Aggregate Mortgages Balance ~~at Issuance~~ (GBP)

Current GIC Account Balance ~~at Issuance~~ (GBP)