

Chapter 1C

Introduction (Primary information providers)



1C.1 Application and purpose (Primary information providers)

1C.1.1 **R** The requirements in **DTR 8** apply to a *primary information provider* and a *person* that is applying for approval as a *primary information provider*.

1C.1.2 **G** The purpose of the requirements in **DTR 8** is to make the *Part 6 rules* permitted under section 89P of the *Act* in relation to *primary information providers* and *persons* applying for approval as *primary information providers*.

[Note: When exercising its functions under Part VI of the *Act*, the *FCA* may use the name: the UK Listing Authority.]

[Note: Other parts of the *Handbook* that may also be relevant to *primary information providers* include *DEPP* (Decision Procedure and Penalties manual) and Chapter 9 of *SUP* (Supervision manual). *EG* (Enforcement Guide) is also relevant.]

1C.2 Modifying rules and consulting the FCA

Modifying or dispensing with rules

- 1C.2.1** **R** (1) The *FCA* may dispense with, or modify, a requirement in **■ DTR 8** in such cases and by reference to such circumstances as it considers appropriate (subject to the *Act*).
- (2) A dispensation or modification may be either unconditional or subject to specified conditions.
- (3) If a *primary information provider* or a *person* that is applying for approval as a *primary information provider* has applied for, or been granted, a dispensation or modification, it must notify the *FCA* immediately it becomes aware of any matter which is material to the relevance or appropriateness of the dispensation or modification.
- (4) The *FCA* may revoke or modify a dispensation or modification.
- 1C.2.2** **R** (1) An application to the *FCA* to dispense with or modify a requirement in **■ DTR 8** must be in writing.
- (2) The application must:
- (a) contain a clear explanation of why the dispensation or modification is requested;
 - (b) include details of any special requirements, for example, the date by which the dispensation or modification is required;
 - (c) contain all relevant information that should reasonably be brought to the *FCA*'s attention;
 - (d) contain any statement or information that is required by **■ DTR 8** to be included for a specific type of dispensation or modification; and
 - (e) include copies of all documents relevant to the application.
- 1C.2.3** **R** An application to dispense with or modify a requirement in **■ DTR 8** must ordinarily be made at least five *business days* before the proposed dispensation or modification is to take effect.

Early consultation with FCA

1C.2.4

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A *primary information provider* or a *person* applying for approval as a *primary information provider* must consult with the *FCA* at the earliest possible stage if they:

- (1) are in doubt about how a requirement in **DTR 8** applies in a particular situation; or
- (2) consider that it may be necessary for the *FCA* to dispense with or modify a requirement in **DTR 8**.

1C.2.5

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Where a requirement in **DTR 8** refers to consultation with the *FCA*, submissions must be made in writing other than in circumstances of exceptional urgency.

Address for correspondence

Note: The *FCA*'s address for correspondence in relation to **DTR 8** is:

Primary Market Monitoring
Markets Division
The Financial Conduct Authority
12 Endeavour Square
London
E20 1JN
Fax: 0207 066 8349.